

CITY OF STOCKBRIDGE PROCUREMENT DIVISION

PROCUREMENT MANUAL



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Introduction and General Overview

This chapter provides an introduction and general overview of the Standard Operation Procedures (SOP) for the procurement staff and the user departments.

THE SEVEN STAGES OF PROCUREMENT

1. Need Identification
 2. Pre-Solicitation
 3. Solicitation Preparation
 4. Solicitation Process
 5. Evaluation Process
 6. Award Process
 7. Contract Administration
-

I.1. Introduction

The Standard Operating Procedures (“SOP”) is a single set of procedures applicable to City of Stockbridge (City) User Departments and Procurement Division Staff to provide written instructions on the step-by-step procedures necessary for the procurement of supplies, materials, equipment, construction, professional and consultant services through the Procurement Division.

The Purchasing Agent means the Procurement Manager will be referred to throughout this manual as “Procurement Manager”.

The Procurement Manager is authorized to adopt regulations, consistent with the Code, governing the procurement, management, control of any and all supplies, services and construction procured by the City. This City of Stockbridge Procurement Ordinance and the SOP is the official set of rules, policies and procedures governing procurements and provided as a resource for all City personnel.

I.1.1. Purpose

The purpose of this SOP is to officially publish a standard set of procurement rules, policies and procedures that govern the purchasing activities of the City subject to the City of Stockbridge Purchasing Code, including User Departments, Council, or other agency of the City unless specifically exempted by statute or regulation. The SOP is intended to support the following purposes:

- Simplify and clarify the City's procurement requirements
- Establish consistent policies and procedures regarding procurement for all City agencies
- Ensure the fair and equitable treatment of all persons who deal with the procurement process
- Provide increased economy for City procurement activities and to maximize to the fullest extent possible the purchasing value of public funds
- Foster effective competition in the marketplace, and
- Provide safeguards for the maintenance, quality, and integrity of the procurement process.

I.1.2. Communication

- The purpose utilizes emails to provide solicitation documents, letters, procedures and informational guidelines and instructions. Major policy and procedure revisions will be communicated in the form of a Procurement Division changes/ revisions and issued will be available online on the Procurement website. The revisions will provide information about policy and procedure revisions, contracting, and revisions to purchasing documents located internally. The updates will be sent out on an as needed basis.

I.1.3. Organization

This SOP divides the procurement process into six stages:

- Chapter 1: Need Identification
- Chapter 2: Pre-Solicitation
- Chapter 3: Solicitation Preparation
- Chapter 4: Solicitation Process

- Chapter 5: Evaluation Process
- Chapter 6: Award Process

Each chapter provides and outlines the step-by-step process required for each procurement stage from the time the User Department identifies a business need for a good or service through contract award. Each chapter includes an introduction which is an overview of the specific procurement process. The SOP also includes operational processes, a glossary of procurement terms, flow charts organized by function, and an index to simplify locating specific topics.

1.1.4. Revisions to the SOP

Any revisions to the SOP will be made available via email or on the Procurement website. Whenever a revision is made to a document on the Portal, the latest date of the revision will be posted with the word, New! indicating that a revision has been made. The Procurement Manager or designee will notify the City Manager's office and Department Directors of any revisions via email. The most recent SOP will be available and can be accessed online.

1.2. General Overview

This section provides a general overview of the Procurement Division responsibilities, purchasing authority, and the authority and duties of purchasing officials.

1.2.1. The Procurement Division

The Procurement Division is an agency of City of Stockbridge Government. The Procurement Division is responsible for the purchasing of all supplies, materials, or equipment and contracts for all work or labor to be done, required by any department, Council, or other agency of the City.

1.2.2. City of Stockbridge Purchasing Code

This SOP provides references to applicable City and State law governing purchasing. If any information in the SOP is inconsistent with the Purchasing Code, the Purchasing Code supersedes the SOP. Federal and State laws will supersede the City's purchasing code.

The Purchasing Code is available for review online at municode.com.

I.2.3. Authority and Duties of Purchasing Officials

City of Stockbridge Purchasing Code [Section 3.30.040](#) sets out the authority and duties of the City of Stockbridge Procurement Manager.

I.2.3.1. Procurement Manager

The Procurement Manager is designated to oversee the procurement of all goods and services needed by the city and advertise for bids for such goods and services as required by this chapter. Consistent with this chapter and subject to the approval of the treasurer, the purchasing agent is authorized to establish, implement and enforce written operational procedures relating to acquisitions and dispositions subject to this chapter and may annually publish a handbook or manual containing those procedures. Such procedures shall, to the extent consistent with applicable law and this chapter, be based upon generally accepted public purchasing principles and practices and shall become effective upon approval by the treasurer. Additionally, these procedures may be revised, as necessary, through the same process used for their initial approval.

Provide for and oversee the development of specifications for goods and services purchased by the city, administer purchase contracts to which the city is a party, and provide for inspecting and accepting or rejecting of goods and services purchased by the city

Process or oversee the processing of all claims for loss, damage, breakage, or shortage, and claims for refund and adjustment concerning the purchase of goods or services for the city.

Exercise general supervision and control over all inventories of goods belonging to the city and provide for the transfer between city departments of surplus goods.

Require bonds, insurance and other forms of protection for the city on the process of procuring goods and services for the city.

Terminate solicitations for bids for any good(s) or service(s) when in the opinion of the city manager, it is in the city's best interest to do so.

Reject any and all bids, when in the opinion of the city manager, it is in the best interest of the city to do so.

Following consultation with the city manager, terminate contracts or pursue other remedies when the party or parties with whom the city is contracting has or have breached the contract.

Sell or oversee the sale of goods or property of the city as authorized by the Code.

I.2.3.2. Designated Procurement Division Staff

The Procurement Manager may delegate authority to designated Procurement Division staff as permitted by the City of Stockbridge Purchasing Code.

For purposes of this manual, purchasing staff, as designated by the Procurement Manager, will be referred to as “Purchasing Representative”.

I.2.3.3. Purchasing Liaison

User Department staff assigned to handle purchasing activities on behalf of their department, but not under the authority of the Procurement Manager, will be referred to as “Purchasing Liaison”.

Chapter 1: Stage 1 – Need Identification

This chapter describes the Need Identification Process stage, the policies that govern this stage, and provides instructions regarding requisitions and special approvals required.

THE SEVEN STAGES OF PROCUREMENT

1. Need Identification
 2. Pre-Solicitation
 3. Solicitation Preparation
 4. Solicitation Process
 5. Evaluation Process
 6. Award Process
 7. Contract Administration
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Key Steps

- Identifying the need for goods or services
- Review of requisition procedures
- Determining whether need can be satisfied by an existing contract
- Identifying purchases that require special approvals or have restrictions

1.1. Identifying the Need

Need identification occurs once the User Department has determined their need for goods or services and submits a request in the form of a requisition that includes technical specifications, required quantities, a description of the item or service required and a product or project delivery timetable. Entering the requisition initiates the procurement process.

1.1.1. Requisition Procedure

All User Departments' requests for goods and services must be submitted electronically via a requisition document with any required specification attached as a word.doc file.

The following requisitioning documents must be used by all departments:

- Standard Requisition with Encumbrance – a Req must be entered into Incode for all department needs including capital and construction projects

REQS will allow departments to submit a request to Purchasing for the creation of a solicitation and the procurement of goods, supplies and materials. After logging onto the system with a user-ID and password, User Department staff will be able to create, edit and modify their own requisition documents until they are accepted and approved for processing by Purchasing. Once the requisition is submitted for processing to Purchasing, it cannot be modified by the Department.

The User Department must insure the following information is entered on the requisition:

- Appropriate funding line
- Commodity code(s)
- A description of the supplies (materials or equipment) or services needed
- Quantity required

Requisitions for Motorized Equipment (Vehicles)

All requisitions for motorized equipment must be approved by the Public Works Department, Fleet Division and the City Manager's Office.

Requisitions for Computer Hardware/Software

All requisitions for computer hardware/software must be approved by Information Technology and the City Manager's Office.

Requisitions for Annual Contracts and Master Agreement

The City enters into one (1) year contracts with vendors/contractors for various commodities. Purchasing will make a determination whether a Master Agreement ("MA") should be utilized for the goods or services. If it is determined that a MA will be utilized, the MA will be created by Purchasing establishing the awarded dollar amount(s) for each vendor and department. Delivery Orders ("DO"), which is a type of Purchase Order ("PO"), must be created by the User Department for each vendor if and when, needed. The MA is the controlling document which will limit the amount that can be expended to any one vendor.

1.1. Sourcing Review

Once a requisition is received by Purchasing for a specific good or service, the Purchasing Representative will conduct a review. The review will determine whether

the requested good or service can be satisfied through the use of an existing contract, a statewide contract, cooperative purchasing, whether the good or service has previously been procured as a sole source, if the request will require special approval by the City Manager or Council for an emergency or intergovernmental agreement. The Purchasing Representative can then determine whether or not a new solicitation should be established to meet the User Department's need.

1.1.1. Statewide Contracts

In accordance with [3.30.080 - Summary of methods of procurement Use of State Contracts](#), Purchasing can procure supplies, services or construction items through contracts established by the Purchasing Division of the State of Georgia. Statewide contracts are available for review online at www.doas.ga.gov.

1.1.2. Piggyback Purchases

Piggyback is a form of intergovernmental cooperative purchasing in which the Procurement Manager can determine whether another governmental entity has an existing contract that can meet the needs of a user department. The Procurement Manager must ensure that the contract was competitively procured; is in the best interest of the City.

1.1.3. Cooperative Purchasing

In accordance with [3.30.080 - Summary of methods of procurement](#), Purchasing may participate in, sponsor, conduct or administer a cooperative purchasing agreement for the procurement of supplies, services or construction with one or more public procurement units in accordance with an agreement entered into between the participants.

1.1.4. Intergovernmental Agreement

An Intergovernmental Agreement (IGA) is a contract between two or more government entities government. Government entities within the State of Georgia (city, City, etc.), in addition to other states of the United States of America are allowable. All IGAs must be approved by Council.

1.1.5. Emergency Procurement

In accordance with [3.30.080 - Summary of methods of procurement, Emergency Purchase](#), the User Department must obtain approval from the City Manager for the procurement of work, labor or service or the supplies, materials or equipment to be furnished when a threat to public health, welfare of safety or the loss of an essential governmental service exists. The request to the City Manager must be in writing on the

Emergency Request Memo and must detail the basis of the emergency and rationale for the selection of a particular contractor. The Emergency Request Memo should be forwarded to the Procurement Manager to determine that the request meets the requirements of Code Section 3.30.080 - Summary of methods of procurement, Emergency Purchase.

To the extent possible, the User Department must obtain competition when possible under the circumstances. A requisition must be entered into Incode at the time the request is forwarded to the City Manager for approval. The User Department must prepare the emergency request for ratification by the Council at the next scheduled meeting.

Upon receipt of approval from the City Manager, the Purchasing Representative will process the Purchase Order (PO) and include the phrase "Emergency Purchase Order".

1.2. Special Approvals or Restrictions

The following procurements/purchases require special approval or have specific restrictions prior to the solicitation being issued or purchase.

1.2.1. Information Technology Products and Services

City of Stockbridge Information Technology (InterDev) is responsible and has the authority to oversee and manage the City's information technology infrastructure and establish policies and procedures, standards and guidelines. For additional information or any questions contact:

Requests for the procurement of software systems, must be presented to the IT for approval prior to submitting a requisition to the Division of Procurement.

Information Technology Contact Information	
Contact Name	Eugene Plummer
Email Address	EPlummer@cityofstockbridge-ga.gov
Phone Number	(470) 337-0772

1.2.2. Vehicle Purchases

The Department of Public Works, Finance Asset Management, Fleet Maintenance Division is responsible for the City's motor vehicle fleet management functions. Fleet Maintenance Division provides procedures on vehicle purchases, assignment, usage, maintenance, operation and disposal. No City User Department may purchase a motor vehicle without prior approval. All requests must be approved by the City Manager's Office. This prior written approval is required prior to Purchasing issuing a solicitation or utilizing an existing statewide contract. When a department desires to replace a vehicle due to age or condition, the vehicle to be replaced must be inspected by the Fleet Maintenance staff to determine whether the vehicle meets the criteria.

1.2.3. Non-Vehicular Surplus Property

The Procurement Division, Finance Asset is responsible for the disposal or surplus of non-vehicular property.

1.2.4. Disposition of Real Property

In accordance with Section 3.30.040 - Powers and duties of the purchasing agent. when a User Department determines that City-owned property in their inventory is no longer needed and that property has been identified for sale, the Purchasing agent will exercise general supervision and control over all inventories of goods belonging to the city, and provide for the transfer between city departments of surplus goods.

Chapter 2: Stage 2 – Pre-Solicitation

This chapter describes the Pre-Solicitation Process stage, the policies that govern this stage

THE SEVEN STAGES OF PROCUREMENT

1. Need Identification
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Key Steps

- Identifying the purchasing need
- Planning and analyzing requirements
- Determining the best acquisition process
- Addressing brand name specification/sole source requests
- Coordinating with other User Departments

2.1. Introduction to the Pre-Solicitation Stage

After the User Department has identified the need for a good or service and the Purchasing Representative has determined that a solicitation should be conducted for the acquisition of the needed goods and/or services, we can proceed to Stage 2, the pre-solicitation stage. In the pre-solicitation stage, the Purchasing Representative has reviewed and analyzed the requirements to determine the best acquisition process and to determine whether the contract should be Citywide, annual, on-demand, one-time procurement, etc. Purchasing staff will review the Scope of Work/Specifications to ensure:

- Sufficient detail is provided to ensure that the User Department obtains the service and/or good it requires

- SOW/specifications do not include any unreasonable qualifications or is unduly restrictive
- The use of brand names or sole source is justified and approved by Procurement Manager
- Deliverables and services being requested are clearly identified
- Current data/information is provided
- Documents are easy to read and understandable

2.2. Step 1: Development of Scope of Work/Specification by User Department

The term “scope of work” refers to that portion of a proposal that describes the characteristics of a service required by the User Department. It is a detailed and precise description of what is needed, which conveys to potential proposers/bidders the intended work to be performed, the requirements of that work, the process that the vendor must follow, and the reports that will certify the results of the work.

The term “technical specification” refers to that portion of an Invitation to Bid (ITB) that describes the characteristics of the work to be performed or goods to be provided.

The SOW/Specifications should be prepared and reviewed by a person(s) with expertise in the area associated with the solicitation. The preparation of the SOW/Specification is the responsibility of the User Department; however, the Purchasing Representative will provide guidance and/or samples when requested. In addition, the Purchasing Representative will schedule a Pre-Solicitation meeting or send an email to discuss the project and the SOW/Specification to develop the solicitation document.

Upon completion, the SOW/Specification should be submitted via email to the Procurement Division and a requisition should be entered into Incode.

2.2.1. Identifying Scope of Need and Corresponding Stakeholders

The Purchasing Representative will perform an analysis of historical purchases and usage of all City agencies to determine whether there is a similar need for the requested good or service by other User Departments and whether the solicitation will need to be issued as a Citywide solicitation. Citywide means that any User Department within the City can utilize the contract. For example, multiple departments may require security guard services. The role of the Purchasing Representative would be to identify any User Department that could utilize the contract and consulting with those User Departments to ensure that they gather information regarding each User Department’s needs to develop the solicitation.

2.3. Step 2: Determining the Method of Solicitation

The Purchasing Representative must determine the best solicitation method for the procurement of the needed good or service. As mandated by state law and the City's purchasing code, the City's purchasing thresholds are as follows:

Request for Quotes

Informal Bid

► \$5,000 to \$49,999.99

Commodities and time and material services are procured via an electronic quote through Purchasing.

Formal

► \$50,000 or greater

Formal sealed Invitation to Bid or Request for Proposal.

- Construction Services
- Professional Services
- Commodities

In accordance with Section [3.30.090 - Purchases based on informal procurement](#), the following are approved methods of source selection:

2.3.1. Small Purchase

In accordance with [Code Section 3.30.090 - Purchases based on informal procurement](#), General. Procurements that involve amounts fifty thousand dollars (\$50,000.00) or less do not require a formal sealed bid/proposal process. However, the processes used for this type of procurement will include as much competition as is consistent with the anticipated cost of the procurement and the best interest of the city: The Purchasing Agent will review: 1) there is an existing City contract that meets the request; 2) the item is available on an existing statewide or cooperative purchasing contract; or 3) item is split purchase in order to circumvent purchasing threshold. The department is also urged to utilize a rotating vendor selection system to afford all vendors registered in the procurement database the opportunity to participate in the procurement process for the type of commodity purchased.

2.3.2. Request for Quotation

Request for Quotations are issued when the cost of goods or services to be purchased range between \$5,000 and \$49,999.99 in accordance with [Code Section 3.30.090 - Purchases based on informal procurement](#)

Specifications for these types of procurements are submitted electronically to Purchasing, where they are reviewed and used to develop the solicitation document.

2.3.3. Invitation to Bid

An Invitation to Bid (ITB) also known as Competitive Sealed Bidding ([Code Section 3.30.100 - Competitive sealed bids.](#)) is the formal solicitation method used when the cost of goods or services to be purchase will exceed \$50,000. This type of solicitation is straight forward, in that the selection is based on the lowest responsive and responsible bidder price, where the bidder has met the minimum specifications developed for the solicitation. A determination of bidder responsibility and qualifications is generally made on a bid-by-bid basis after the bids are opened. Depending on the procurement, this may involve a site inspection, review of past performance or other reviews to determine Contractor responsibility. The ITB procurement method can be used for the purchase/acquisition of commodities, construction and general services.

2.3.3.1. Commodities

Under this method, the City issues an ITB, which contains the necessary requirements, specifications and terms and conditions for the procurement of commodities such as equipment, supplies and materials which exceed \$50,000.

2.3.3.2. Construction

Under this method, the City issues an ITB, which contains the necessary requirements for contract award pursuant to the [Georgia Local Government Public Works Construction Law \(O.C.G.A. §36-91 et. seq.\)](#). Public works construction means the building, altering, repairing, improving, or demolishing of any structure or building or other public improvements of any kind to any public real property. Public works construction projects costing more than \$100,000 must adhere to the [Georgia Local Government Public Works Construction Law](#).

2.3.3.3. Services

Under this method, the City issues an ITB, which contains the necessary requirements, specifications and terms and conditions for the procurement of a service contract which exceeds \$50,000. Services contract means a contract awarded for a type of service **other than** construction, professional and consultant service such as janitorial,

plumbing, security guard services, etc. The most common is time and material services wherein a unit price is established for materials/supplies and an hourly rate is requested for labor.

2.3.4. Request for Proposal

The Request for Proposal (RFP) method of solicitation, also known as Competitive Sealed Proposals [Code Section 3.30.110 - Competitive sealed proposals](#) should be used when the use of competitive sealed bidding is not practicable or is not in the best interest of the City and the following conditions apply:

- (a) Price is not the determining factor
- (b) Discussions with offerors are required
- (c) Offerors are required to provide methods and approaches to perform the Specification or Statement of Work
- (d) Agency desires to conduct interviews with offerors
- (e) “Best Value” award is anticipated

Examples for use of the RFP are:

- professional management services.
- physician services; dental services.
- design services; engineering services.
- architectural services.
- planning services.
- program management services and
- construction management services.

2.3.4.1. Professional and Consultant Services

In accordance with [Code Section 3.30.140 - Professional services](#), Professional and Consultant services must be procured via an RFP. All contracts for professional and consultant services must be in writing, the contract must include the scope of work and project deliverables.

2.3.4.2. Design-Build Services

In accordance with the [Georgia Local Government Public Works Construction Law \(O.C.G.A. §36-91 et. seq.\)](#),

2.3.4.4. Construction Management At-Risk Services

In accordance with the [Georgia Local Government Public Works Construction Law \(O.C.G.A. §36-91 et. seq.\)](#),

2.3.4.5. Construction Management Services

In accordance with the [Georgia Local Government Public Works Construction Law \(O.C.G.A. §36-91 et. seq.\)](#),

2.3.5. Request for Qualifications

Prequalification of offerors can be used when the Procurement Manager, in consultation with the User Department determines that it is in the best interests of the City to prequalify offerors for particular types of supplies, services, construction and professional and consultant services. Prequalification standards may be imposed by the Procurement Manager that must be met by any offeror to qualify to respond to an invitation for bids or a request for proposals. Offerors will be required to submit information to the Procurement Manager to allow a determination of whether an offeror has met such prequalification standards. When prequalification is required, only those offerors who submit the required prequalification information and who are actually prequalified to submit a bid or proposal for a particular solicitation shall be allowed to submit bids or proposals.

2.3.6. Disposition of Real Property

When a User Department determines that City-owned real property is no longer needed for City purposes, they must contact the Department of Public Works and Finance. All real property identified for sale, transfer or other disposition shall be in accordance with [Code Section 3.30.190 - Disposition of personal property](#).

2.3.7. Award without Competition (Sole Source)

In accordance with 3.30.080 - Summary of methods of procurement, a contract may be awarded without competition when the City Manager and the Procurement Manager determine, in writing, after the Purchasing Department has conducted a good faith review of available resources, that there is only one source for the requested work, labor or service, supplies or materials, or equipment to be provided. For purposes of this manual, "Award without competition" will be referred to as "sole source". The city council

shall approve all purchases where cost is greater than fifty thousand dollars (\$50,000.00).

2.4. Step 4: Addressing Market Constraints

Once the market analysis has been completed, the Purchasing Representative may determine that there are limited goods, services or suppliers available that can meet the City's business needs or requirements. However, a determination that resources are limited does not mean that a competitive process is not conducted. The following situations are addressed in the following subsections:

- Brand Name Justification
- Sole Source

2.4.1. Brand Name Justification

A brand name or equal specification means a specification limited to one or more items by manufacturers' names or catalogue numbers to describe the standard of quality, performance and other salient characteristics needed to meet City requirements and which provides for the submission of equivalent products. If the User Department is requesting "No substitute", written justification must be submitted to the Procurement Manager for approval. An example of the appropriate use of "No substitute" would be if a part within an existing piece of equipment needs to be replaced. If, however, that part is available only from one source, then the Purchasing Representative must determine whether it meets the criteria for sole source designation in accordance with [Code Section 3.30.080 - Summary of methods of procurement.](#)

2.4.1.1 Use of Brand Name in Solicitation

Brand name specification may be used only when the Procurement Manager makes a written determination that only the identified brand name will satisfy the City's needs. The Purchasing Representative must determine through research whether other brands exist which could satisfy the solicitation requirement.

1.4.1.2 Use of "Or Equal" or "Substitute" in Solicitation

If the term "Or Equal" follows the names of existing manufacturers, then other manufacturers desiring approval may submit the product to the Owner for approval during the solicitation phase. Any reference to a manufacturer or list of manufacturers in the Contract documents shall be considered to include the phrase "or equal" following

such reference; provided, however, that when the list of manufacturer(s) are expressly noted with the phrase “no substitutions”, then no “or equal” substitutions shall be permitted; and when the list of manufacturer(s) is noted with the phrase “equal to”, then a potential proposer/bidder shall be allowed to substitute only as permitted by the solicitation document. The Purchasing representative will provide guidance.

2.4.2. Sole Source Designation

As specified in 2.3.7. of this Chapter and based on a market analysis, the Purchasing Representative may determine that only one supplier is capable of providing the required work, labor, or service to be done or the supplies, materials, or equipment to be furnished.

2.4.2.1. Justification of Sole Source Purchase

The User Department must complete a [Justification and Approval for Allowing Award of Contract without Competition Form](#) describing the requested good or service; provide justification as to why the needed good or service should not be procured through a procurement process; and, describe the contractor’s unique qualifications to perform/provide the good/service.

2.4.2.2. Procedures for Conducting a Sole Source Purchase

The Purchasing Representative must complete the steps in Table 2.1 prior to submitting the sole source to the Council for approval.

Table 2.1	
Procedures for Conducting a Sole Source Purchase	
Step 1: Conduct Market Survey	In order to determine whether the request meets the requirements for sole source designation, the Purchasing Representative must review the Sole Source Justification Form and conduct a market research. Research resources shall include, industry organizations, Internet searches and advertisement of intent to award a sole source.
Step 2: Justification Form	If the Purchasing Department Representative determines the needed good or service should be designated as a sole source acquisition, the Purchasing Representative shall complete the Sole Source Justification Form
Step 3: Public Notice	All intended sole source acquisitions must be advertised on the City’s Procurement website, State Registry for a minimum of five (5) business days. The purpose of the <u>public notice</u> is to provide

	any potential qualified vendors the opportunity to respond.
Step 4: Invite Market Response	<p>The advertisement must include the following information.</p> <ul style="list-style-type: none"> ▪ A brief description of the supplies and/or services, ▪ The identity of the sole source supplier, ▪ A copy of the completed Sole Source Justification Form ▪ Instructions as to how vendors can submit information to perform the sole source determination.
Step 5: Review of Offer to Perform	<p>If a vendor submits information regarding the sole source determination, the Purchasing Representative will review that information with the User Department to determine whether the offer meets the requirements of the City.</p> <p>The Purchasing Representative will review that information with the User Department to determine whether the offer meets the requirements of the City and determine whether it is in the City's best interest to competitively procure the good or service. If the determination is not disputed, then the item is prepared to be solicited or presented to the City Manager for approval.</p>

Chapter 3: Stage 3 – Solicitation Preparation

This chapter describes the Solicitation Preparation Process stage, the policies that govern this stage

THE SEVEN STAGES OF PROCUREMENT

1. Need Identification
 2. Pre-Solicitation
 3. Solicitation Preparation
 4. Solicitation Process
 5. Evaluation Process
 6. Award Process
 7. Contract Administration
-

Key Steps

- Use of Third-Party Consultants
- Selecting the correct solicitation template
- Creating the solicitation document
- Developing Evaluation Criteria
- Selecting the appropriate contract templates

3.1. Introduction to the Solicitation Preparation Stage

In Stage 2, the Purchasing Representative has reviewed the Statement of Work/Specifications submitted by the User Department; coordinated with other User Departments with similar needs; conducted a market analysis; and, has determined the best acquisition process. In this stage, the Purchasing Representative will determine the correct solicitation template and begin creating the solicitation document with assistance from the User Department(s) representatives.

3.2. Selecting the Correct Solicitation Template

The Purchasing Representative will provide the User Department with the appropriate method of solicitation to be used and the correct solicitation template. See Table 3.2, for the list of all standardized solicitation templates and related forms for each solicitation type.

Table 3.2 Standardized Solicitation Templates	
Solicitation Type	Template that should be used
Informal Quote (Commodities Only under \$50,000)	Request for Quote Cover General Terms and Conditions Specifications Georgia Immigration Contractor Affidavit
Invitation to Bid for Commodities Only (ITBC) over \$50,000	Conditions for Use ITB Cover Sheet Table of Content Invitation to Bid Section 1, Instruction to Bidders, Terms and Conditions Section 2, Bid Form Section 3, Product Specifications Section 4, Purchasing Forms Section 5, Contract Compliance Forms
Request for Proposals (RFP)	Conditions for Use Guide for Developing a Request for Proposal Section 1, Introduction Section 2, Instructions to Proposers Section 3, Proposal Requirements Section 4, Evaluation Criteria
Request for Qualification (RFP)	Conditions for Use Statement of Work Guide for Request for Proposals Statement of Work Template
Invitation to Bid (ITB) - Construction	Conditions for Use ITB Cover Sheet Table of Content Invitation to Bid Owner-Contractor Agreement

	<u>Section 1, Instruction to Bidders</u> <u>Section 2, Bid Form</u> <u>Section 3, Bid Bond, Payment and Performance Bond</u> <u>Section 4, Scope of Work and Technical Specifications</u> <u>Section 5, Insurance and Risk Management Provisions</u> <u>Section 6, Purchasing Forms</u> <u>Section 7, Contract Compliance Requirements</u> <u>Section 8, General Conditions</u> <u>Section 9, Special Conditions</u> <u>Section 10, Exhibits</u> <u>Section 11, Appendices</u>
Invitation to Bid (ITB) - Services	<u>Conditions for Use</u> <u>ITB Cover Sheet</u> <u>Table of Content</u> <u>Invitation to Bid</u> <u>General Services Contract</u> <u>Owner-Contractor Agreement</u> <u>Section 1, Instruction to Bidders</u> <u>Section 2, Bid Form</u> <u>Section 3, Bid Bond, Payment and Performance Bond</u> <u>Section 4, Scope of Work and Technical Specifications</u> <u>Section 5, Insurance and Risk Management Provisions</u> <u>Section 6, Purchasing Forms</u> <u>Section 7, Contract Compliance Requirements</u> <u>Section 8, General Conditions</u> <u>Section 9, Special Conditions</u> <u>Section 10, Exhibits</u> <u>Section 11, Appendices</u>

3.3. Constructing the Solicitation Document

The Purchasing Representative and the User Department will work jointly to construct the appropriate solicitation document based on the goods and/or services to be procured. The User Department is responsible for the scope of services/ scope of work. Purchasing Representative is responsible for reviewing and editing the solicitation document.

The principal characteristic of a solicitation is the scope of work should be clear, concise, complete and developed in a logical manner:

1. Determine the Project Purpose
2. Determine the Project Objectives

3. Establish the Tasks to be Performed
4. Establish the Required Project Specifications
5. Determine the Project Deliverables
6. Determine the Acceptable Performance Levels

3.3.1. General Instructions and Administrative Requirements

Each solicitation will contain general instructions to the potential bidders/proposers regarding preparation and submission of responses. The introduction should state the purpose of the scope of work, a brief overview of the work required, history and background information. At a minimum, the solicitation must identify the following:

- Purchasing Representative contact information
- The due date and time for submitting responses
- Required submittals
- Required qualifications
- Contract responsibilities
- Contract term
- How responses to questions will be handled

3.3.2. Insurance and Bonding Requirements

The User Department is responsible for providing insurance requirements based on the project scope of work on a per project basis. Insurance is a mechanism by which one party can legally transfer for a charge/premium, the financial responsibility for a specific exposure, loss and/or risk.

The City requires insurance on applicable solicitations because they protect the City's financial assets from losses caused by the activities/operations of contractor and/or vendor.

Bonding Requirements

The Procurement Manager is responsible for determining which projects will require bonding requirements.

A bond is a mechanism (financial instrument) that provides for the financial reimbursement of one party, due to non-performance of the required duties and/or

contractual obligations of a second party. Bonding is required for all construction projects that exceed \$100,000. For all other projects the Purchasing representative is responsible for forwarding the scope of work to the Procurement Manager.

3.3.3. Procurement Schedule

The Purchasing Representative must develop a procurement schedule once the SOW/Specifications have been reviewed and approved. The schedule must be included in the solicitation document and provided to all project stakeholders such as the User Department representatives, etc. The procurement schedule should list all procurement activities with corresponding dates starting with the date of advertisement. Each solicitation, at a minimum, should include an advertisement/ solicitation issuance date, the closing, opening and/or due date, Pre-Bid/Pre-Proposal Conference date, any date(s) for required site visits, the date for receipt of questions, and any other deadline(s) the potential bidder/proposer is required to honor.

3.3.4. Evaluation Criteria

Evaluation criteria are the factors relating to management capability, technical capability, method of meeting performance requirements, price, and other material considerations specified in the request for proposal or request for qualification that will be considered in determining to whom a contract will be awarded.

3.3.4.1. Project Description/Purpose

The project description/purpose should be clear and concise, provide the respondent with a broad understanding of the project and include a general statement regarding the City's need so that potential respondents can quickly identify the purpose of the solicitation.

3.3.4.2. Qualification Requirements

The experience and qualifications required of each respondent must be thoroughly described in the qualifications section. The description of experience may include"

- the number of years of experience required for key personnel and/or the firm.
- level of technical knowledge.
- any certifications, professional licenses required.
- recent references to demonstrate that the firm has performed required services/work satisfactorily for others in contracts of similar size and scope; and,

- any other special experience or qualifications deemed necessary by the User Department.

The Purchasing Representative must ensure that identified qualification requirements do not unreasonably or unnecessarily restrict competition. The solicitation must clearly identify any minimum requirements.

3.3.4.3. Project Specifications and Performance Requirements

The first step in establishing the project specifications and performance requirements to be performed is to identify all tasks that may be required to accomplish the objective or purpose of the Statement of Work/Specifications. The tasks should focus on what the Contractor will be required to do rather than how the Contractor should accomplish the effort.

Once a comprehensive listing of all tasks to be performed has been developed, it is then necessary to organize these tasks into logical groupings. From the list of tasks generated, the major tasks and sub-tasks should be identified. Group similar and related requirements and separate the major tasks from one another and list the sub-tasks under their appropriate major task.

Once the tasks have been divided into logical groupings of tasks to be performed, the tasks should then be arranged in a logical sequence (e.g., chronological order, time-phase, grouped by discipline or task, or some other combination). The Purchasing Representative should review all of the tasks identified to ensure that those tasks will meet the minimum requirements to achieve the objective for the project.

USE “WORK” WORDS SUCH AS:

- Review...
- Analyze...
- Repair...
- Install...
- Construct...

The end result of this process should produce an outline of tasks to be performed that follows a logical sequence and logical groupings. Once this logical listing is complete, each task can be expanded upon and defined in more detail, so vendors will gain a complete understanding of the requirements for this project.

DO

- Use “shall” or “will” whenever an item in a statement of work describes a command or mandatory requirement.
- Use “should” or “may” to describe an advisory or non-mandatory (optional) requirement.
- Identify minimum requirements.

DON'T

- Present something as mandatory if it is really an option.
- Write a statement of work that restricts competition to a specific consultant.
- Use words or phrases that have multiple meanings.
- Use acronyms, abbreviations, and clichés.

Once the specifications and performance requirements have been outlined and defined, the next step is to determine the project deliverable(s).

3.3.4.4. Project Deliverables

The User Department should list all project deliverables under the solicitation and/or SOW; however, it is the responsibility of the Purchasing Representative to ensure all deliverables are identified once the solicitation package is finalized. The first step in establishing the project deliverables is to determine the outcomes or the results that the vendor will provide, including deliverables such as reports, designs, equipment, etc. Once identified, the deliverables will help to develop the scope of work, oversight or monitoring plan, reporting requirements, and cost proposal format.

The Contractor will be responsible for the work by transforming the tasks into the deliverables.

PROJECT DELIVERABLES SHOULD:

- Be clearly identified.
- Identify what the required and expected results are for each task.
- Identify the frequency of the deliverables. How often should the deliverables be furnished?
- Meet the minimum needs for the project and the User Department.

The User Department will also need to identify how often the deliverable will be furnished (daily, weekly, monthly, etc.) and the potential vendors will need to know how often the deliverables are required, so that they understand the magnitude of the work and can propose a reasonably accurate cost for the services.

Once the User Department develops the list of project deliverables, it needs to be reviewed to ensure that they will meet the minimum requirements to assist in achieving the objective(s) of the project.

The end result of this process should allow the User Department to produce a list of deliverables to be performed by the vendor that corresponds to the tasks to be performed. Having created the listing of products to be delivered, the User Department can expand upon each deliverable and define the product required in more detail. Vendors will then gain a complete understanding of the expectations for the project. Once the User Department have completely defined the tasks and deliverables to be performed, it will be necessary to determine acceptable performance levels.

3.4.1. Developing Bid Forms/Pricing and Cost Proposals by Solicitation Type

3.4.1.2. Developing Bid Forms/Pricing for ITB's

For ITB's, the Bid Form is the response form returned by bidders that contains the bid prices of the requested goods and/or services and other information required by the City. The User Department is responsible for developing the bid/pricing forms and cost worksheet; however, it is the Purchasing Representative's will review to ensure that they are appropriate for the type of commodity and/or services being procured. The bid form should be structured in a manner that allows bidders' pricing to be easily compared and to encourage competitive pricing and consistency.

Lump-sum pricing means the bidder enters a lump-sum price in the blank space provided on the Bid Form.

Unit pricing means the bidder enters a price for each line item based on the unit of measure (per item, per mile, per test, per hour, per square foot, per meal, etc.). If more than one-unit price is being requested, the bid form must include either estimated or definite quantities. Quantities are necessary in order to determine the lowest bid received.

3.4.1.3. Developing Cost Proposal Forms for RFP's

For RFPs, the cost proposal should be developed based on the services to be performed and/or provided. Lump sum pricing that provides a not to exceed amount must include the total compensation to complete the project. Hourly rates for labor

categories (i.e., Principal, Project Manager, Program Manager, Engineer I, Engineer II, and Administrative Assistant) should be based on the estimated number of hours expected to be used. Labor rates must also include all other associated costs such as multipliers, profit, CPI Index assumptions, reimbursable and non-reimbursable expenses.

The Purchasing Representative will provide assistance with developing the appropriate cost proposal based on the services requested.

It is imperative that cost is requested in a manner that is clear to all respondents and will allow the City to conduct an "apples to apples" comparison during cost evaluation.

The cost proposal form and cost worksheet may vary from solicitation to solicitation based on a variety of factors, including the type of contract that will be awarded.

3.5. Determining Contract Terms

The Purchasing Representative must determine whether the procurement is for a one-time purchase or establishing a multi-year agreement. The Purchasing Representative must determine what contract terms will be used to govern the agreement between the City and the awardee.

3.5.1. Multi-Year Agreements/Annual Contracts

Only ITBs and RFPs can include multi-year or renewal options. Multi-year agreement refers to any contract which exceeds twelve months and/or will cover more than one fiscal year. For purposes of this manual, multi-year contracts are also called "annual contracts". Annual contracts can have up to two, one-year renewal options. Any request for a contract to have more than two, one-year renewal options will require approval by the Procurement Manager.

In accordance with [O.C.G.A. §36-60-13](#), all multi-year contracts funded with general funds must terminate absolutely and with no further obligation of the City at the close of the calendar year in which it is executed and at the end of each renewal year. The applicable contract terms must be identified in or attached to the solicitation.

All annual contracts funded by general funds (Fund 100) must end December 31st of the year in which the contract was awarded. All renewal options must be approved by the Council.

3.5.2. Other Contract Terms

The contract term is the period that a contract is in effect until the contract expires. The contract term varies based on the solicitation type.

3.5.2.1. Construction

Construction project contract terms must be for total time to complete the project. No renewal options are required.

3.5.2.2. Quotes

The contract term for Quotes can be up to 12 consecutive months. Quotes cannot have renewal options

3.5.2.3. One-Time Procurements

One-time procurement contracts are for that one procurement only. The contract must end as soon as the product or service is provided and cannot include renewal options.

3.6. Reviewing the Solicitation

Once the Purchasing Representative has received a draft copy of the solicitation package for a quote or competitive sealed bid, the Purchasing Representative will review the specifications to ensure all necessary instructions and requirements have been included prior to the advertisement and posting of the solicitation.

For RFPs, the Purchasing Representative should ensure that the RFP includes all of the necessary instructions and requirements prior to the advertisement and posting of the solicitation.

Once this Stage has been completed, the next stage, the solicitation process begins with the advertisement of the solicitation.

Chapter 4: Stage 4 – Solicitation Process

This chapter describes the Solicitation Process stage, the policies that govern this stage, and the step-by-step procedures performed during this stage.

THE SEVEN STAGES OF PROCUREMENT

1. Need Identification
 2. Pre-Solicitation
 3. Solicitation Preparation
 4. Solicitation Process
 5. Evaluation Process
 6. Award Process
 7. Contract Administration
-

Key Steps

- Public Notice
- Access to Solicitations
- Communication during the Solicitation Process
- Receipt of Bidder/Proposer Responses
- Close of the Solicitation

4.1. Introduction

The next stage of the procurement process is the solicitation stage, which occurs after the Purchasing Representative has a completed solicitation that is ready to be advertised. This chapter details the solicitation process, which begins with public advertisement and notice regarding the solicitation and ends with the receipt of responses or the close of the solicitation. Listed below in Table 4.1, are the major steps of Stage 4.

Table 4.1 Major Steps – Solicitation Process	
Step 1	Public Advertisement and Notice
Step 2	Accessing and Reviewing of Solicitations
Step 3	Communication during the Solicitation Process
Step 4	Correction or Withdrawal of Submitted Responses
Step 5	Cancellation of a Solicitation
Step 6	Receipt of Bidder/Proposer Responses
Step 7	Close of the Solicitation

The public notice must contain a general description of the supplies, services, construction or professional and consultant services to be procured and the location where solicitation documents may be obtained, the time, date and place of pre-bid/pre-proposal conference (if applicable) as well as the bid opening date and time. Additionally, all notices must advise potential bidders/offerors of any mandatory prequalification requirements, federal requirements and notice of bid security if required. Plans and specifications must be available on the first day of the advertisement and must be available for review by the public.

4.2. Step 1: Public Advertisement and Notice

In accordance with the [Code Section O.C.G.A. 36-91-20](#), an advertisement inviting bids/proposals must be posted on:

- the City's internet website.
- The Henry Herald newspaper, which is the City's legal organ as well as other mediums such as the Georgia Procurement Registry.
- Georgia Procurement Registry (GPR) if required, specialty trade or industry publications and email.

The public notice must contain a general description of the supplies, services, construction or professional and consultant services to be procured and must state the location where the solicitation documents can be obtained and the time and place of opening of the bids.

4.2.1. City's Website

The City's Website is the City's site for advertising/posting all City of Stockbridge procurements issued through the Procurement Division. The City's website is accessible to the public and allows potential bidders/proposers to download the solicitation documents, view addenda, check project status, and view awardee information.

4.2.2. Legal Organ

The Henry Herald is the City's legal organ and all formal solicitations must be advertised at least once in the legal organ.

4.2.3. Additional Advertisement for Unusual Special Circumstances

Occasionally the need arises for advertisement of procurements that are unusual in nature or highly specialized. In those instances, the Procurement Manager may require that an advertisement be placed in at least one trade journal or specialized industry publication, such as the Engineering News Record, etc., in order to receive responses from qualified and available offerors.

4.2.4. Email Notifications

Email notifications are sent to vendors who have requested solicitation information. Vendors will also be encourage to view the Procurement website daily for solicitations.

4.3. Step 2: Accessing and Reviewing Solicitations

The City's Procurement website is the best location for potential respondents to access information about all solicitations required to be competitively bid in accordance with the provisions of this manual. The City's notice includes instructions to the bidder about accessing the solicitation itself. For example, the City's notice will instruct the bidder on how to respond to the solicitations. The bidder must review and comply with any and all instructions for accessing the solicitation that are included on the website for that solicitation.

4.4. Step 3: Communication during the Solicitation Process

The City has a code of silence period, known as "No Contact during the Procurement Process", which begins when the solicitation is posted to the Procurement website and remains in place until the date the City Manager forwards a recommendation to the Council for award of the subject contract. No City officer, elected official, employee, or designated City representative, except as specifically authorized and permitted by the terms and conditions of the solicitation, can communicate with the public regarding this

solicitation. All City solicitations specifically identify and authorize the Purchasing Representative assigned to the solicitation as the only point of contact.

4.4.1. Purchasing Contact

Once the solicitation has been posted to the City's website, the [No Contact During the Procurement Process](#) begins. During this period, the only point of contact is the Purchasing Representative assigned to the solicitation. The Purchasing Representative's contact information (email address) must be provided in the solicitation document.

The User Department must direct any requests regarding the solicitation to the Purchasing Representative as well as any corrections or revisions to be made to the solicitation document.

4.4.2. Restrictions on Communications

In accordance with Code of Ordinance [No Contact during the Procurement Process](#), it is the City's policy It is a request of the City that the evaluation and award process for City contracts shall be free from both actual and perceived impropriety, and that contacts between potential vendors and City officials, elected officials and staff regarding pending awards of City contracts shall be prohibited

A. No person, firm, or business entity, however situated or composed, obtaining a copy of or responding to this solicitation, shall initiate or continue any verbal or written communication regarding this solicitation with any City officer, elected official, employee, or designated City representative, between the date of the issuance of this solicitation and the date of the City Manager's recommendation to the Council for award of the subject contract, except as may otherwise be specifically authorized and permitted by the terms and conditions of this solicitation.

B. All verbal and written communications initiated by such person, firm, or entity regarding this solicitation, if same are authorized and permitted by the terms and conditions of this solicitation, shall be directed to the Purchasing Agent.

C. Any violation of this prohibition of the initiation or continuation of verbal or written communications with City officers, elected officials, employees, or designated City representatives shall result in a written finding by the Purchasing Agent that the submitted bid or proposal of the person, firm, or entity in violation is "non-responsive", and same shall not be considered for award

4.4.3. Addenda

In accordance to State of Georgia O.C.G.A. § 36-91-20(d). Any questions, suggestions, requests for clarification or interpretations regarding the solicitation must be submitted in writing to the Purchasing Representative assigned to the project. Any response(s) made by the City will be provided in writing to all potential bidders/proposers by addendum. An addendum is a written amendment to the solicitation (Quote, RFP, ITB) that changes the project specifications and is issued prior to bid opening which becomes a part of the specifications for the project. No verbal responses are authoritative.

All response(s) to written requests for clarification, interpretation, questions or additional information will be distributed via an addendum and posted on the City's website and the Georgia Procurement Registry (GPR).

4.4.3.1. Submitting Questions

Potential respondents can submit questions in writing to the Purchasing Representative in accordance with instructions in the solicitation document.

4.4.3.2. Responding to Questions

The Purchasing Representative is responsible for coordinating and distributing questions received from potential respondent(s). Questions regarding the procurement process will be responded to by the Purchasing Representative. Questions regarding the technical specifications or scope of work will be forwarded to the User Department by the Purchasing Representative for a response. The User Department cannot address any questions directly to a potential respondent and should refer all requests to the assigned Purchasing Representative.

4.4.3.3. Preparing and Issuing Addenda

The Purchasing Representative is responsible for preparing, issuing and posting all addenda associated with the solicitation in a timely manner. Any addenda modifying plans and specifications within 72 hours prior to the advertised time for the opening of bids or proposals (due date), excluding Saturdays, Sundays and legal holidays, that bid or proposal opening (due date) must be extended by at least 72 hours, excluding Saturdays, Sundays and legal holidays.

An addendum is issued after the solicitation has been publicly posted. Any changes or revisions to the solicitation, the solicitation requirements, attachments and/or exhibits, must be made by the Purchasing Representative in writing. The Purchasing Representative is responsible for preparing, issuing and posting addenda for the project they are assigned. All revisions must be posted prior to the closing date and time of the

solicitation. Modifications to the schedule of events for activities that occur after the closing date and time of the solicitation (e.g., time period allowed for negotiations, etc.) are permitted by the Purchasing Representative and do not require the posting of an addendum.

4.4.4. Public Meetings

Public meetings such as Pre-Bid/Proposal Conferences, Site Visits, Walk-throughs, etc., may be conducted in order to provide information regarding the project, to address any questions and concerns regarding the services sought by the City or to facilitate site visits or walk-throughs of the physical location where the work/service is to be performed.

4.4.4.1. Pre-Bid/Pre-Proposal Conferences

A Pre-Bid/Pre-Proposal Conference may be required for some Invitation to Bid and Request for Proposals solicitations. Any exceptions must be approved by the Procurement Manager. The purpose of the Pre-Bid/Pre-Proposal Conference is to provide potential bidders/proposers with detailed information regarding the project and to address questions and concerns. Representatives from the User Department and the Procurement Division are available at the conference to discuss the project and to answer any questions. At that time, general information about the specifications/technical documents is provided and responses to initial, non-binding verbal questions concerning the solicitation are provided. No verbal response provided at the Pre-Bid/Pre-Proposal Conference binds the City. Pre-Bid/Pre-Proposal Conferences are not mandatory, but all interested vendors are strongly encouraged to attend.

4.4.4.2. Site Visits/Facility Tours/Walk-throughs

A Site Visit/Facility Tour/Walk-through can be conducted in order to allow potential bidders/proposers the opportunity to view the physical location where the work/services are to be performed at the discretion of the User Department. Certain site visits/facility tours/walk-throughs can be mandatory to City facilities that have secured areas such as the airport, rooftops, jail facilities, etc. The Purchasing Representative will advise whether a site visit should be deemed mandatory. If the site visit/walk-through is deemed mandatory, it means that a potential bidder/proposer that did not attend the site visit/facility tour/walk-through as scheduled, will be unable to submit a bid or proposal for that solicitation.

4.5. Step 4: Correction or Withdrawal of Submitted Responses

In accordance with [Code Section 3.30.100 - Competitive sealed bids](#), in the event that a respondent requests to correct or withdraw its bid or offer, the following guidelines must be followed.

4.5.1. Correction or Withdrawal prior to Bid Opening

Before bid opening, correction or withdrawal of bids may be allowed by the Procurement Manager before the scheduled time and date of bid opening. The respondent may withdraw the bid, without revealing the amount of the bid, by submitting a new sealed bid or providing written notice of withdrawal before bid opening. The written notice of withdrawal must be received by the Procurement Manager prior to bid opening.

4.5.2. Correction after Bid Opening

After bid opening, corrections to bids may be permitted only to the extent that the offeror can show by clear and convincing evidence that a mistake of a nonjudgmental character was made, the nature of the mistake, and the bid price actually intended. After bid opening, no changes in bid prices or other changes can be made.

4.5.3. Withdrawal after Bid Opening

In lieu of a bid correction, the apparent low bidder alleging a material mistake of fact may be permitted to withdraw its bid if:

- 1) the mistake is clearly evident on the face of the bid document, but the intended correct bid is not similarly evident,
- (2) the bidder submits evidence that clearly and convincingly demonstrates that a mistake was made.

All decisions to permit the correction or withdrawal of bids must be supported by a written determination from the Procurement Manager and made a part of the contract file.

4.6. Step 5: Cancellation of a Solicitation

In accordance with [Code Section 3.30.110 - Competitive sealed proposals](#), the City may cancel a solicitation document at any time. If the User Department is requesting cancellation of a solicitation, they must submit documentation evidencing the reason(s) for the cancellation. If the Purchasing Representative recommends that a solicitation be cancelled, they must submit documentation evidencing the reason(s) for the cancellation. The Procurement Manager must approve all requests to cancel a solicitation.

Once the request to cancel the solicitation is approved by the Procurement Manager, the Purchasing Representative is responsible for preparing, issuing and posting the cancellation letter.

If bids/proposals have already been received, each bidder/proposer who submitted a response must be notified in writing of the cancellation. Once bids/proposals are received by the City, they are the property of the City and will not be returned.

4.7. Step 6: Receipt of Bidder/Proposer Responses

In accordance with [Code Section 3.30.100 - Competitive sealed bids](#), all bid and proposal responses must be delivered to and received by the Procurement Manager or designated Purchasing Representative no later than 12:00 noon, Eastern Time on the date advertised in the solicitation. All responses must remain sealed until the solicitation closing date and time.

All responses must be time stamped at the front desk of the Procurement Division and a Bid Receipt must be attached to each response prior to the opening of bid/proposals.

It shall be the sole responsibility of the Proposer to have his/her proposal/bid submittal delivered to the City of Stockbridge Procurement Division for receipt on or before the above stipulated due date and time. If a proposal is sent by U.S. Mail, FedEx, the proposer shall be responsible for its timely delivery to the Purchasing Division. Proposer should obtain tracking receipt and may be requested to provide proof of the receipt via email within three (3) days after bid opening date.

Any bid/proposal received after the appointed time for receipt will be considered late and returned to the bidder/proposer unopened. However, a Bid Receipt must be time stamped and a copy of the original stamped Bid Receipt must be retained as a record in the procurement file.

4.8. Step 7: Close of the Solicitation

The solicitation is considered closed on the date and time identified in the solicitation as the due date and time (the deadline) for respondents to submit responses. In the event that the City offices are closed due to an emergency such as severe weather, the Purchasing Representative must extend the solicitation prior to opening (due) date.

4.8.1. Bid Opening

In accordance with [Code Section 3.30.100 - Competitive sealed bids](#), **Bid** Opening. Bids shall be opened publicly in the presence of one (1) or more witnesses on the date and at the time and place designated in the invitation to bid. The name of each bidder, the purchase price contained in each bid, and such other information as the purchasing

agent deems appropriate shall be announced as the bids are opened. A record of bid information shall be recorded and available for public inspection.

Bid Opening are done online, and vendors can view bid opening live streamed on Wednesdays at 12:01 p.m. via Cisco WebEx. Joining the WebEx meeting will allow vendors responding to each bid to view proposals opening and view ITB bid opening and the bid amount submitted from each vendor. This will replace in-person bid openings. For RFPs, the names of the proposers only are read.

To view the bid opening, please visit the City of Stockbridge Procurement website at <https://stockbridgega.municipalcms.com/pview.aspx?id=4640&catid=72> and click Join Meeting.

4.8.2. Posting of Tabulation Sheet

After the Purchasing Representative has received responses and those responses have been opened in a public opening the following information must be recorded on a Tabulation Sheet and posted on the Bid website.

4.8.2.1. Invitation to Bid

The Purchasing Representative reads the name and price bid for each bidder and records such on the bid tabulation sheet. Once the public bid opening ends, the results of bid pricing will be uploaded to the Procurement website and the Georgia Procurement Registry for that project.

4.8.2.2. Request for Proposal

The Purchasing Agent will only read and record the name of the proposer. No bid cost will be revealed at this time. Once the public bid opening ends the names of all proposers will be uploaded to the Procurement website and the Georgia Procurement Registry for that project.

Chapter 5: Stage 5 - Evaluation Process

This chapter describes the Evaluation Process stage, the policies that govern this stage, and the step-by-step procedures performed during this stage. The specific evaluation process will depend on the type of procurement.

THE SEVEN STAGES OF PROCUREMENT

1. Need Identification
 2. Pre-Solicitation
 3. Solicitation Preparation
 4. Solicitation Process
 5. Evaluation Process
 6. Award Process
 7. Contract Administration
-

Key Steps

- Initial review of responses
- Composition and duties of the Evaluation Committee for RFPs
- Evaluation of Bid/Proposal Responses
- Conducting negotiations and discussions

5.1. Introduction to the Evaluation Stage

Once the solicitation has officially closed, the evaluation process begins. During the evaluation process, the Purchasing Representative conducts an initial review of responses to determine whether each respondent is responsive. Before forwarding responses to the Evaluation Committee (EC) or User Department, the Purchasing Representative examines each response to identify those that are clearly non-responsive, incomplete, or otherwise unacceptable. Depending on the solicitation type, the evaluation stage includes the following main steps:

Table 5.1 Major Steps – Evaluation Stage		
Step	Description	Performed By:
1	Responsiveness Review	Purchasing
2	Evaluate Response	User Department or Evaluation Committee
3	Evaluate Cost	Purchasing
4	Responsibility Review	Purchasing
5	Award Recommendation	User Department or Evaluation Committee

5.1.1. Communications during the Evaluation Process

Any contact between potential bidders/proposers and City officials, elected officials and staff, except with the Purchasing Contact named in the solicitation, for any reason regarding the solicitation is prohibited. This restriction remains in place throughout the evaluation process.

Any violation of this prohibition on communication will result in the Procurement Manager making a written finding that the submitted bid or proposal of the person, firm, or entity in violation is “non-responsive” and will not be considered for award.

5.1.2. Step 1: Responsiveness Review

The initial review of responses is the first step in the evaluation process. The Purchasing Representative must conduct an administrative Responsiveness Review to determine if each bidder’s/proposer’s is in compliance with the requirements listed in the solicitation. A Responsiveness Review form, based on the solicitation type, must be completed for each response and made part of the project file. The purpose of this process is to identify any responses which are not eligible for further evaluation. The bidder will be notified in writing regarding the reasons for rejection.

After the Purchasing Representative has reviewed the bids for responsiveness, they will be distributed to the User Department or the Evaluation Committee (EC) based on the procurement methodology and the solicitation language for further evaluation.

5.2. Step 2: Evaluation by Solicitation Type

This section addresses the evaluation of responses to Quotes, ITBs, RFQs and RFPs and the selection of the Contractor/Consultant. After the City receives and opens all responses, the next step is to evaluate each submittal and consider only those responsive bidders or offerors as defined below:

- A responsive bidder or responsive offeror means a person or entity that has submitted a bid or proposal that conforms in all material respects to the requirements set forth in the solicitation.

All responses deemed responsive during the administrative review will be forwarded for further evaluation to either the User Department or the EC. The evaluation process and method of evaluation will vary by solicitation type as well as the specific terms of the solicitation. The following subsections address the general evaluation method for each solicitation type.

5.2.1. Evaluating Responses to Quotes

The Purchasing Representative must conduct a responsiveness review to determine that the bidders are responsive to all minimum product specifications and/or performance requirements.

5.2.1.1. Responsiveness Review

To evaluate a vendor's response to a Quote, the Purchasing Representative must review each bidder's response to determine each bidder's compliance with the Quote's requirements. Bidders' responses to the requirements are evaluated on a pass/fail basis. For those Quotes that include services/labor, the Purchasing Representative must also ensure that each bidder submits a Georgia Immigration Contractor (E-Verify) Affidavit.

The Purchasing Representative will review the Quote for responsiveness. The purpose of this process is to identify any responses which are not eligible for further evaluation. Any bidder that fails one or more requirements is non-responsive. The bidder will be notified in writing regarding the reasons for rejection.

All responses deemed responsive to the Responsiveness Review will be forwarded to the User Department for further evaluation.

5.2.1.2. Estimated Usage/Spend

When exact quantities are not known, the City may use estimated usage for evaluation purposes. The use of such estimates is not a guarantee of future spend.

5.2.1.3. Resolving Pricing Discrepancies

In all cases, if there is a discrepancy between the bidder's quoted unit price and the extended price, the unit price will govern, unless otherwise specified in the solicitation.

5.2.1.4. Responsibility Review

Responsible means the respondent, whether a company or an individual, has the capability in all respects to perform fully and reliably the contract requirements. The determination of non-responsibility is based on the bidder/proposer's failure to provide information required by the solicitation. Considerations taken into account related to non-responsibility include, but are not limited to:

- The ability, capacity and skill of the Bidder to perform and/or provide the work required.
- The character, integrity, reputation, judgment, experience and efficiency of the Bidder.
- The quality of performance of work on previous contracts or work.
- The appropriate and adequate technical experience necessary to perform the work.
- Adequate personnel and equipment to do the work expeditiously.
- Suitable financial means to meet obligations incidental to the work.

The City reserves the right to reject any bid if the evidence submitted by, or investigation of, the bidder fails to satisfy the City that he/she is properly qualified to carry out the obligations of the contract.

For Quotes, the User Department determines whether the apparent low bidder has the capability in all respects to perform fully and reliably the bid requirements as specified in the solicitation document.

If the User Department determines that a response is non-responsible, the recommendation should clearly identify the reason(s) for the determination and must be forwarded to the Procurement Manager in the form of a recommendation letter signed by the Department Head or designee.

If the Procurement Manager concurs with the determination of non-responsibility, the respondent must be notified of the written determination of non-responsibility setting forth the basis of the finding(s). The non-responsibility concurrence letter to the respondent must be prepared by the Purchasing Representative and approved by the Procurement Manager and included in the procurement file.

5.2.1.5. Quote Award

For all contracts established through the Quote process, award will be made to the lowest priced, responsive, and responsible bidder. This is the bidder who:

- submits the lowest price,

- whose bid meets the specifications,
- agrees to the terms and conditions of the City, and
- is clearly capable of performing the resulting contract.

The awarded bidder may not always be the bidder who has submitted the lowest monetary bid if any of the conditions outlined above are not met.

5.2.1.6. Quote Award Types

The User Department must recommend the award of a contract based on the requirements of the solicitation document. Awards can vary, including a single award, split award, or multiple awards.

5.2.1.6.1 *Single Award*

A single award is made to the responsive and responsible respondent with the lowest overall price for a Quote.

5.2.1.6.2. *Split Award*

A split award is made when a solicitation is divided into two or more parts, groups, or phases and each part will be awarded to the bidder with the lowest overall price. For a Quote, each line item is awarded to the lowest, responsive and responsible bidder for that line item.

5.2.1.6.3. *Multiple Awards*

[Multiple Awards; Limitations on Multiple Awards](#), two or more offerors may be awarded separate contracts, at the discretion of the City, on the basis of one solicitation for the same or similar work, supplies or services, if the City reserves the right to do so in the solicitation. Multiple contracts may be awarded, at the discretion of the City, for the procurement of annual contracts for supplies, construction, services, professional and consultant services.

If the solicitation does not include specific language regarding multiple awards prior to the deadline established for receipt of bids, proposals or quotations, multiple awards cannot be made for that solicitation.

5.2.1.7. Resolving Tie Responses

In accordance with [Code Section 3.30.100 - Competitive sealed bids, Tie Bid, Tie Bids](#). In the event two (2) responsive bids are tied for the lowest price and the other terms and conditions of the two (2) bids are substantially the same, the bid shall be awarded to the local vendor if only one of the bidders has an office located within the

boundaries of the City of Stockbridge. If both or neither of the tied bidders are local vendors, the purchasing staff shall request the firm's best and final offers, and the award shall be to the lowest bid.

5.2.1.8. No Bid Response

Whenever the City lets a solicitation and receives no responses to the solicitation, the Purchasing Representative must conduct a random survey of those firms that were notified of the bid solicitation to determine why they did not submit a response and take the necessary steps to cancel the solicitation. The Purchasing Representative must then meet with the User Department to discuss the survey results to determine what revisions need to be made to the scope of work or technical specifications before re-soliciting the project.

5.2.2. Evaluating Responses to Invitation to Bid (ITB)

5.2.2.1. Responsiveness Review

Evaluating responses to an ITB is very similar to evaluating responses to Quotes. The Purchasing Representative must conduct an administrative Responsiveness Review of each bidder's response to determine if each bidder complied with the ITB's requirements. Bidders' responses to ITB requirements are evaluated on a pass/fail basis. Any bidder that fails one or more ITB requirements is non-responsive.

Any bidder that fails one or more requirements is non-responsive. The bidder will be notified in writing regarding the reasons for rejection.

All responses deemed responsive to the administrative review will be forwarded for further evaluation to the User Department.

5.2.2.1. Additional Evaluation Activities

On formal solicitations, additional evaluation activities may be required to complete the evaluation process. The Purchasing Representative must facilitate any additional evaluation activities, including, but not limited to, reference checks, product demonstrations, site visits, plant inspections, and/or sample testing.

5.2.2.2.1. Clarification/Additional Information

If requested by the Purchasing Representative, respondents may be required to submit additional or supplemental information to determine whether the respondent meets all of the qualification requirements.

After receipt of the submittals and during the evaluation process, the City may request written clarification from a respondent regarding their response. Requests for clarifications are to eliminate minor irregularities, apparent clerical mistakes or if the response includes conflicting information or is so ambiguous that a reasonable person cannot ascertain the meaning(s).

A request for written clarification does not give the respondent an opportunity to revise or modify its response, except to the extent that the correction of an apparent clerical mistake(s) results in a revision. A request for written clarification may not be used to negotiate (i.e. request the bidder to revise or improve the bidder's response). Written clarifications received from the bidder will become part of the bidder's response for inclusion in the project file.

5.2.2.2.2. Product Demonstration

A presentation focused on the features and functionality of any software, goods or products is generally referred to as a product demonstration. A product demonstration may occur at any site approved by the Procurement Manager. Any requirement for the bidder to provide a product demonstration must be included as part of the solicitation.

If the solicitation includes a requirement for the bidder to make a product demonstration, then the Purchasing Representative is responsible for arranging the demonstration during the evaluation process to all stakeholders. Cost should not be discussed as part of the product demonstration and bidders are not permitted to revise their responses as part of the demonstration. Product demonstrations may be evaluated on a pass/fail basis in the event the product demonstration is being used to confirm the bidder's compliance with any solicitation requirements.

5.2.2.2.3. Reference Checks

A reference check refers to the process of contacting a bidder's current or previous clients to solicit information regarding that client's business experience with the firm. A bidder's client references can provide insight into the bidder's level of work experience as well as quality of past performance. The solicitation may require bidders to submit client references as part of the bidders' responses.

The User Department, with assistance from the Purchasing Representative, is responsible for checking the references as requested in the solicitation. A list of questions for the client references must be prepared in advance and the same questions should be asked of all references. Responses from references must be

documented in writing for record purposes. References may be evaluated on a pass/fail basis.

The types of questions to ask client references will vary depending on the City entity's purpose in requesting references; however, some sample suggestions include the following:

- Nature and duration of the work,
- Quality of supplies delivered, or services rendered,
- Timeliness of performance,
- Cost or price in terms of control—including changes and claims,
- Business integrity – reputation in the community,
- Willingness to cooperate, especially when confronted with unexpected issues, and/or
- Effectiveness of management of the project and internal practices.

5.2.2.2.4. Site Visits

During the evaluation process, a site visit or plant inspection generally refers to the User Department's observation and inspection of a physical location to be used by the respondent as part of the respondent's performance of any contract awarded pursuant to the solicitation. Any requirement for the respondent to facilitate a site visit or plant inspection during the evaluation process should be clearly included as part of the solicitation. However, for purposes of contract administration, by accepting contract award, the bidder is agreeing to permit the City entity the right of inspection at the bidder's facility, subject to any reasonable security measures.

In the event a site visit or plant inspection will occur as part of the evaluation process, the Purchasing Representative is responsible for arranging the site visit or plant inspection.

A site visit or plant inspection may be evaluated on a pass/fail basis.

5.2.2.2.5. Product Acceptability Requirements

A product acceptability evaluation may be conducted to determine whether a bidder's product sample meets the requirements of the solicitation. Any respondent's offering that does not meet the acceptability requirements must be rejected as nonresponsive. A pre-established and generally accepted standard, e.g. ANSI, IEEE, etc. should be used whenever possible.

5.2.2.3. Evaluating Cost for ITB's

For ITBs, cost must be evaluated in accordance with the specific provisions of the solicitation. However, the following general provisions also apply:

5.2.2.3.1. *Firm Pricing*

Unless otherwise specified in the solicitation, the City requires *firm, unconditional pricing*. In the event the City is establishing a multi-year agreement, the City may elect to identify conditions under which a price increase/decrease will be allowed (i.e. CPI index, yearly escalation costs, etc.).

5.2.2.3.2. *Determining Best Pricing*

As applicable, the City may use lowest cost, lowest total cost or total cost of ownership, life cycle costs or greatest savings to determine the most advantageous or "*best value*" cost response, however, the Purchasing representative must comply with the solicitation regarding cost evaluation.

5.2.2.3.3. *Estimated Usage/Spend*

When exact quantities are not known, the City may use estimated usage for evaluation purposes. The use of such estimates is not a guarantee of future spend.

5.2.2.3.4. *Resolving Pricing Discrepancies*

In all cases, if there is a discrepancy between the bidder's quoted unit price and the extended price, the unit price will govern, unless otherwise specified in the solicitation.

5.2.2.4. Responsibility Review

For ITB's, the User Department determines whether the apparent low bidder has the capability in all respects to perform the contract requirements.

Responsible means the respondent, whether a company or an individual, has the capability in all respects to perform fully and reliably the contract requirements. The determination of non-responsibility is based on the respondent's failure to provide information required by the solicitation. Considerations taken into account related to non-responsibility include, but are not limited to:

- The ability, capacity and skill of the Bidder to perform and/or provide the work required.
- The character, integrity, reputation, judgment, experience and efficiency of the Bidder.
- The quality of performance of work on previous contracts or work.

- The appropriate and adequate technical experience necessary to perform the work.
- Adequate personnel and equipment to do the work expeditiously.
- Suitable financial means to meet obligations incidental to the work.

The City reserves the right to reject any bid if the evidence submitted by, or investigation of, the bidder fails to satisfy the City that he/she is properly qualified to carry out the obligations of the contract.

If the User Department determines that a response is non-responsible, the recommendation should clearly identify the reason(s) for the determination and must be forwarded to the Procurement Manager in the form of a recommendation letter signed by the Department Head or designee.

If the Procurement Manager concurs with the determination of non-responsibility, the respondent must be notified of the written determination of non-responsibility setting forth the basis of the finding(s). The non-responsibility concurrence letter to the respondent must be prepared by the Purchasing Representative and approved by the Procurement Manager and included in the procurement file.

5.2.2.5. ITB Award Types

The User Department must recommend the award of a contract based on the requirements of the solicitation document. Awards can vary, including a single award, split award, or multiple awards.

5.2.2.5.1. Single Award

A single award is made to the responsive and responsible respondent with the lowest overall price for an ITB.

5.2.2.5.2. Split Award

A split award is made when a solicitation is divided into two or more parts, groups, or phases and each part will be awarded to the bidder with lowest overall price.

5.2.2.5.3. Multiple Awards

[Multiple Awards; Limitations on Multiple Awards](#), two or more offerors may be awarded separate contracts, at the discretion of the City, on the basis of one solicitation for the same or similar work, supplies or services, if the City reserves the right to do so in the solicitation. Multiple contracts may be awarded, at the discretion of the City, for the procurement of annual contracts for supplies, construction, services, professional and consultant services.

If the solicitation does not include specific language regarding multiple awards prior to the deadline established for receipt of bids, proposals or quotations, multiple awards cannot be made for that solicitation.

Multiple City contracts are prohibited under one solicitation for the procurement of construction, services or professional and consultant services which are not annual contracts.

5.2.2.6. Resolving Tie Responses

In accordance with [Code Section 3.30.100 - Competitive sealed bids, Tie Bid, Tie Bids](#). In the event two (2) responsive bids are tied for the lowest price and the other terms and conditions of the two (2) bids are substantially the same, the bid shall be awarded to the local vendor if only one of the bidders has an office located within the boundaries of the City of Stockbridge. If both or neither of the tied bidders are local vendors, the purchasing staff shall request the firm's best and final offers, and the award shall be to the lowest bid.

5.2.2.7. No Bid Response

Whenever the City lets a solicitation and receives no responses to the solicitation, the Purchasing Representative must conduct a random survey of those firms that were notified of the bid solicitation to determine why they did not submit a response and take the necessary steps to cancel the solicitation. The Purchasing Representative must then meet with the User Department to discuss the survey results to determine what revisions need to be made to the scope of work or technical specifications before re-soliciting the project.

5.2.3. Evaluating Responses to RFP's

The evaluation of RFP responses is done by a formally convened Evaluation Committee (EC) in accordance with the criteria indicated in the RFP or RFQ.

5.2.3.1. Responsiveness Review

The Purchasing Representative must conduct a Responsiveness Review of the proposals. The Purchasing Representative will identify responses that are clearly non-responsive, incomplete or otherwise unacceptable. The proposer will be notified in writing regarding the reasons for rejection.

After the Purchasing Representative has reviewed the proposals for responsiveness, the technical proposals, for those responses deemed responsive, will be submitted to the EC members for review as described in Table 5.1 of this section. The cost proposals are not distributed until the technical proposal review has been completed.

5.2.3.2. Evaluation Committee (EC)

For RFPs, the Evaluation Committee (EC) has the authority to review and evaluate proposers' technical responses to a specific Request for Proposal (RFP). The Evaluation Committee is recommended and provided to the Procurement Manager. The City Manager approves the Evaluation Committee.

The EC committee will determine whether the respondent has the ability in all respects to perform fully and reliably the work to be performed or the requirements in the solicitation. The recommendation for award will be made to the most responsive and responsible proposer with the highest overall score.

5.2.3.2.1. EC Composition and Duties

The EC can be comprised of three staff members assigned by Purchasing from the User Department(s). If necessary, two additional technical staff from multiple departments can be assigned. Only two staff members can be selected from the same Department.

A Finance Department Representative will assist Purchasing with the determination of financial responsibility. The Purchasing Representative assigned to the project will serve on the EC as an ex-officio member and will facilitate all evaluation and negotiation meetings. The Purchasing Representative, and any outside expert(s) will be non-voting members and may not score proposer's responses.

With respect to the procurement of any information technology solutions (e.g., software, applications, hardware, systems, upgrades, services, etc.), a representative from Information Technology (IT) must serve on the EC as a voting member. The IT Representative provides the technical expertise required regarding City technology standards and to ensure compatibility with existing systems, hardware compatibility, interfaces, etc.

With respect to the procurement of facilities projects (i.e., construction, design-build), a representative from the Public Works Department must serve on the EC to provide the technical expertise required.

5.2.3.2.2. EC Responsibilities

Table 5.2 below lists the responsibilities for all members allowed to serve on the EC:

Table 5.2 Evaluation Committee Responsibilities	
Purchasing Representative	<ul style="list-style-type: none"> ▪ Serves as the facilitator and is responsible for maintaining the integrity of the procurement process ▪ Handles all communications and correspondence to ensure compliance with the “No Contact During Procurement” ▪ Serves as the liaison for the EC when clarifications or additional information is required ▪ Conducts administrative review to determine the responsiveness of each proposer’s submittal ▪ Coordinates and schedules EC meetings ▪ Distributes proposals to EC members ▪ Analyzes the cost proposals and assigns points ▪ Conducts reference checks regarding past performance and relevant project experience ▪ Coordinates the selection of a Technical Advisor if requested by the EC ▪ Schedules oral presentations/interviews if required ▪ Compiles all scoring ▪ Leads negotiation team ▪ Reviews all contract exceptions submitted by proposers and consults with the Legal and provides feedback to the EC ▪ Determines and evaluates non-responsibility
EC Members	<ul style="list-style-type: none"> ▪ Review the RFP, including the scope of work, evaluation criteria and project deliverables ▪ Read all proposals and evaluate the responses ▪ Independently score all respondent’s submittals ▪ Make a recommendation for award of the contract
Finance	<ul style="list-style-type: none"> ▪ Assists the Purchasing Representative with analyzing Financial stability of the vendors. ▪ Serves on the Negotiation Team, if requested ▪ Conducts financial responsibility review of recommended proposer(s)

Technical Advisor	<ul style="list-style-type: none"> When the technical skills, knowledge and experience is available and identified within the City, the Procurement Manager can designate them as "Technical Advisor" <p><i>The Purchasing Representative shall serve as the liaison regarding information being requested by the EC and ensure that the Technical Advisor only responds to the information requested and is a non-voting member.</i></p>
Third-Party Consultant	<ul style="list-style-type: none"> When a third-party consultant has been hired by the City to assist with the project, the consultant can provide technical assistance to the EC and the Purchasing Representative as requested and required. <p><i>The Purchasing Representative shall serve as the liaison regarding information being requested by the EC and ensure that the third-party consultant only responds to the information requested and is a non-voting member.</i></p>

5.2.3.2.3. Purchasing Representative Responsibilities

The assigned Purchasing Representative must develop, coordinate and implement an itinerary as follows:

- Establish a date for an initial meeting of all EC members
- Provide general information and distribute a disclosure statement to each approved committee member. Upon receipt of the completed written disclosure form, distribute a copy of each technical proposal to each committee member.
- If requested by the EC, establish a date to allow oral presentations/interviews to be conducted.
- Establish date(s) for EC members to engage in discussions and exchange of information during the scoring process.
- Once technical scoring has been completed, the Purchasing Representative will share the cost proposal scoring with the EC members and will compile the master scoring matrix with both technical and cost scores and prepare the recommendation letter to be submitted to the Procurement Manager.

It is essential that the Purchasing Representative manage the entire evaluation process. Prior to beginning the evaluation process, the Purchasing Representative will send the Confidentiality Agreement Disclosure Form to each EC member. Before releasing

any responses to the EC, the Purchasing Representative must determine whether any members of the EC may have a conflict of interest (e.g. current employment with the bidder, significant financial interest, litigation or other dispute, etc.) with any firm that submitted a response.

Any individual determined to have a conflict of interest cannot participate on the Evaluation Committee and must be excused from further participation in the evaluation process. The Procurement Manager may need to identify one or more additional individuals to serve on the EC as needed in the event one or more committee members are unable to serve due to conflicts of interest.

5.2.3.2.4. Submitting Responses to the EC

The EC members who have executed the Confidentiality Agreement and Disclosure Form will be provided with all responses that passed the administrative Responsiveness Review, as well as the appropriate evaluation forms to capture scoring.

5.2.3.3. Additional Evaluation Activities

On formal solicitations such as RFPs, additional evaluation activities may be required to complete the evaluation process. The Purchasing Representative must facilitate any additional evaluation activities, including, but not limited to, reference checks, oral interview/presentations, product demonstrations, site visits, plant inspections, and/or sample testing.

5.2.3.3.1. Oral Interviews/Presentations

After reviewing the technical proposals, the EC must notify the Purchasing Representative if they want to invite proposers for oral interviews/presentations. The EC, in conjunction with the Purchasing Representative, will determine the number of firms to be invited to the oral interviews/presentations.

The purpose of the oral interviews/presentations is to provide the EC with an opportunity to seek additional information and to clarify and confirm any information received. Oral presentations are to occur as "in person" presentations or through any other method approved by the Procurement Manager (phone conference, web conference, etc.).

An oral presentation may or may not include a presentation of software, goods or products which are being offered as part of the bidder's response. A presentation focused on the features and functionality of any software, goods or products is generally referred to as a product demonstration. A product demonstration may occur at any site approved by the Procurement Manager. Any requirement for the bidder to provide an

oral presentation or product demonstration to the Evaluation Committee should be clearly counted as part of the solicitation.

If the solicitation includes a requirement for the bidder to make an oral presentation or product demonstration, then the Purchasing Representative is responsible for arranging these presentations/demonstrations during the evaluation process. An oral presentation or product demonstration is not a negotiation and bidders are not permitted to revise their responses as part of the presentation/demonstration.

For all RFPs and Request for Qualifications that include a scoring element, the EC may lower the proposer's score as appropriate as a result of the EC's evaluation of the proposer's oral presentation and/or product demonstration. In addition, for all RFPs and scored Request for Qualifications which reserved points to grade the oral presentation and/or product demonstration, the EC may increase the proposer's technical score as appropriate based on the individual EC member's evaluation of the content of the proposer's oral presentation/product demonstration.

5.2.3.3.2. Requesting Clarification/Additional Information

If requested by the Purchasing Representative, respondents may be required to submit additional or supplemental information to determine whether the respondent meets all of the qualification requirements.

After receipt of the submittals and during the evaluation process, the City may request written clarification from a respondent regarding their response. Requests for clarifications are to eliminate minor irregularities, apparent clerical mistakes or if the response includes conflicting information or is so ambiguous that a reasonable person cannot ascertain the meaning(s).

A request for written clarification does not give the respondent an opportunity to revise or modify its response, except to the extent that the correction of an apparent clerical mistake(s) results in a revision. A request for written clarification may not be used to negotiate (i.e. request the bidder to revise or improve the bidder's response). Written clarifications received from the bidder will become part of the bidder's response for inclusion in the procurement file.

5.2.3.3.3. Reference Checks

A reference check refers to the process of contacting a bidder's current or previous clients to solicit information regarding that client's business experience with the firm. A bidder's client references can provide insight into the bidder's level of work experience

as well as quality of past performance. The solicitation may require bidders to submit client references as part of the bidders' responses.

In addition, during the evaluation process, the Purchasing Representative is responsible for checking the references as requested in the solicitation. A list of questions for the client references should be included in the solicitation and vendors responses, and the same questions should be asked of all references. It is appropriate for evaluation committee members to ask related follow-up questions. Responses from references must be documented in writing for record purposes and then shared with each EC member.

5.2.3.3.4. Site Visits

During the evaluation process, a site visit or plant inspection generally refers to the EC's observation and inspection of a physical location to be used by the respondent as part of the respondent's performance of any contract awarded pursuant to the solicitation. Any requirement for the respondent to facilitate a site visit or plant inspection during the evaluation process should be clearly counted as part of the solicitation. However, for purposes of contract administration, by accepting contract award, the bidder is agreeing to permit the City entity the right of inspection at the bidder's facility subject to any reasonable security measures.

In the event a site visit or plant inspection will occur as part of the evaluation process, the Purchasing Representative is responsible for arranging the site visit or plant inspection. The bidder must provide all reasonable facilities and assistance for the safety and convenience of the City in the performance of an inspection. However, the City entity is responsible for its costs in participating in such visit/inspection (cost of transportation of EC, etc.).

For all RFPs and any RFQs including a scoring element, the evaluation committee may lower the bidder's score as appropriate as a result of the evaluation committee's evaluation of the bidder's facility as specified in the solicitation specifications or evaluation criteria. In addition, for all RFPs and scored RFQs which reserved points to grade the site visit and/or plant inspection, the EC may increase the bidder's technical score as appropriate based on the EC's evaluation of the bidder's facility.

In the event that the site visit or plant inspection will be a part of the City entity's scoring process, all EC members must participate in the site visit/plant inspection. In the event one or more members of the evaluation committee cannot participate, the Purchasing Representative must determine whether sufficient notes and or documentation of the

site visit/plant inspection can occur such that the absent EC members would be able to score fairly.

If the Purchasing Representative determines that it is not possible for an absent Evaluation Committee member to be able to fairly evaluate the bidder, then the site visit/plant inspection must be rescheduled to permit all EC members to participate.

5.2.3.3.5. Product Acceptability Requirements

A product acceptability evaluation may be conducted to determine whether a bidder's product sample meets the requirements of the solicitation. Any respondent's offering that does not meet the acceptability requirements must be rejected as nonresponsive. A pre-established and generally accepted standard, e.g. ANSI, IEEE, etc. should be used whenever possible.

5.2.3.4. Evaluating Cost for RFPs

For RFPs, cost must be evaluated in accordance with the specific provisions of the solicitation. However, the following general provisions also apply:

For RFPs, the Purchasing representatives will analyze the cost proposals independently, but may perform the analysis concurrently with the EC's evaluation of the proposers' technical responses. The Purchasing Representatives will not disclose the cost proposals or the cost analysis to the EC until after the Technical Proposals have been scored. If the EC elects to conduct oral interviews/presentations or request additional material, the Cost Proposals and cost analysis cannot be disclosed to the EC until the oral interviews/presentations have been concluded and the technical proposals scored.

5.2.3.4.1. Cost Scoring Formula

The City has established the following formula to evaluate cost proposals for Request for Proposals (RFP):

$$\frac{\text{Lowest cost submitted (L)}}{\text{Each successive cost (R) x Points allocated for cost in RFP (P)}} = \text{Cost proposal score}$$

L – Cost of the proposer's response with the lowest cost

R – Cost of the next proposer's cost to be evaluated

P – Total points allocated for cost in the RFP

C – Cost proposal score

5.2.3.4.2. Overall Scores Preceding Negotiations

Each proposer meeting all mandatory requirements will receive a total combined score by adding the proposer's technical score to the proposer's cost score.

5.2.3.5. Discussions

Discussions can occur if the solicitation specifies that award will be made based on best and final offers ("BAFO"). For BAFO, discussions may be conducted with offerors who submit proposals determined to be reasonably susceptible of being selected for award in accordance with the solicitation. Discussions may be conducted for any purpose of clarification to ensure full understanding of and responsiveness to the solicitation requirements. Offerors must be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals and such revisions may be permitted after submissions and prior to award for the purpose of obtaining the best and final offers. In conducting discussions, no information derived from proposals submitted by competing offerors will be disclosed.

5.2.3.6. Negotiation Process

This step discusses when and how negotiations should be conducted based on the type of procurement, the composition of the negotiation team and the termination of negotiations. The negotiation process is the final step to be completed after making the recommendation for award. Negotiating is a critical component of the strategic sourcing process. Once RFP responses have been analyzed and evaluated, a negotiations strategy should be developed, and discussions should be held to negotiate the best possible price for the City.

5.2.3.6.1. Authority to Negotiate

Negotiations are authorized by the Purchasing Code and are based on the solicitation type as defined in Table 5.3 below:

Table 5.3		
Authority to Negotiate – Solicitation Type		
Solicitation Type	Negotiations Authorized	Authorizing Purchasing Code Section
Quotes	No	
Request for Qualifications	No	
Request for	Yes	

Proposals		
Request for Proposals for Professional and Consultant Services	Yes	
Competitive Sealed Bids pursuant to O.C.G.A. §36-91-21)	Yes	O.C.G.A. §36-91-21(a)(4)
Award without Competition – Sole Source	Yes	
Emergency Procurement	Yes	

5.2.3.6.2. Convening a Negotiation Team

The Purchasing Representative must follow the guidelines found in the RFP. The Purchasing Representative assigned to the project must continue to serve as the official point of contact between the City and the respondent. The NT can consist of the following individuals, as appropriate:

- User Department Representative(s)
- Finance Department Representative(s)
- City Attorney Representative(s)
- Technical advisors

To ensure that NT members do not possess a conflict of interest, each member will be required to sign the [Confidentiality Agreement and Disclosure Form](#) and to comply with the provisions of the RFP. If EC members serve on the NT also, they will not be required to sign an additional Confidentiality Agreement and Disclosure Form.

5.2.3.6.3. Negotiation Invitations

Proposers selected to participate in negotiations will be notified by the Purchasing Representative of the following:

- The City is initiating negotiations

- The anticipated schedule for the negotiations
- The procedures to be followed during negotiations

5.2.3.6.4. Terminating Negotiations

It is expected that negotiations will be completed in a reasonable time period and that the City has complete discretion to determine when to terminate negotiations and move to the next ranked offeror.

5.2.3.7. Responsibility Review

Responsible means the respondent, whether a company or an individual, has the capability in all respects to perform fully and reliably the contract requirements. The determination of non-responsibility is based on the bidder/proposer's failure to provide information required by the solicitation. Considerations taken into account related to non-responsibility include, but are not limited to:

- The ability, capacity and skill of the Bidder to perform and/or provide the work required.
- The character, integrity, reputation, judgment, experience and efficiency of the Bidder.
- The quality of performance of work on previous contracts or work.
- The appropriate and adequate technical experience necessary to perform the work.
- Adequate personnel and equipment to do the work expeditiously.
- Suitable financial means to meet obligations incidental to the work.

The City reserves the right to reject any bid if the evidence submitted by, or investigation of, the bidder fails to satisfy the City that he/she is properly qualified to carry out the obligations of the contract.

If the EC determines that a response is non-responsible, the recommendation should clearly identify the reason(s) for the determination and must be forwarded to the Procurement Manager in the form of a recommendation letter.

If the Procurement Manager concurs with the determination of non-responsibility, the respondent must be notified of the written determination of non-responsibility setting forth the basis of the finding(s). The non-responsibility letter to the respondent must be

prepared by the Purchasing Representative and approved by the Procurement Manager and included in the procurement file.

5.2.3.8. RFP Award Types

The EC must recommend the award of a contract based on the requirements of the solicitation document. Awards can vary, including a single award, split award, or multiple awards.

5.2.3.8.1. Single Award

A single award is made to the responsive and responsible respondent with the overall highest score (top ranked offeror).

5.2.3.8.2. Split Award

A split award is made when a solicitation is divided into two or more parts, groups, or phases and each part will be awarded to the top ranked proposer.

For an RFP, each part of the solicitation must be awarded to the proposer with the highest total score for that particular part.

5.2.3.8.3. Multiple Awards

In accordance with the solicitation two or more offerors may be awarded separate contracts, at the discretion of the City, on the basis of one solicitation for the same or similar work, supplies or services, if the City reserves the right to do so in the solicitation. Multiple contracts may be awarded, at the discretion of the City, for the procurement of annual contracts for supplies, construction, services, professional and consultant services.

If the solicitation does not include specific language regarding multiple awards prior to the deadline established for receipt of bids, proposals or quotations, multiple awards cannot be made for that solicitation.

Multiple City contracts are prohibited under one solicitation for the procurement of construction, services or professional and consultant services which are not annual *contracts*.

5.2.3.9. No Bid Response

Whenever the City lets a solicitation and receives no responses to the solicitation, the Purchasing Representative must conduct a random survey of those firms that were

notified of the bid solicitation to determine why they did not submit a response and take the necessary steps to cancel the solicitation. The Purchasing Representative must then meet with the User Department to discuss the survey results to determine what revisions need to be made to the scope of work or technical specifications before re-soliciting the project.

5.2.4. Step 3: Review Period

Each solicitation will specify the minimum period of time that a respondent must honor their response from the time that the solicitation closes until the contract is awarded.

The review period will vary depending on the procurement type and the terms of the solicitation. Other factors that will affect the review period are the complexity of the project, the number of responses received, etc. If additional time is required to complete the evaluation process, the Purchasing Representative may request that respondents extend the acceptance period of their offers. Respondents are not required to extend their bid/proposal. However, if the respondent elects not to extend the acceptance period, the respondent's response cannot be considered for further evaluation and must be identified as withdrawn.

5.2.5. Step 4: Re-soliciting When Necessary

In the event that no responses are deemed eligible for award, the Procurement Manager must cancel the solicitation in accordance with [Code Section 3.30.100 - Competitive sealed bids Cancellation of Invitation to Bid or Requests for Proposal](#). In addition, the City reserves the right to cancel any solicitation in whole or in part, as specified in the solicitation when it is in the best interest of the City as described in *Section 4.6, Step 5: Cancellation of a Solicitation* of this manual.

Chapter 6: Stage 6 - Award Process

This chapter describes the Award Process stage, the policies that govern this stage, and the step-by-step procedures performed during this stage.

THE SEVEN STAGES OF PROCUREMENT

1. Need Identification
 2. Pre-Solicitation
 3. Solicitation Preparation
 4. Solicitation Process
 5. Evaluation Process
 6. Award Process
 7. Contract Administration
-

Key Steps

- Providing public notice of award recommendations and award results
- Contract preparation and execution process
- Post award meetings
- Issuing the notice to proceed (NTP)

6.1. Introduction to the Award Stage

After the evaluation process is completed, the next step in the process is the award process. The award process begins with the User Department or the EC making a recommendation to the Procurement Manager.

6.2. Step 1: User Department or EC Recommendation

All recommendations for award must be in writing and submitted to the Procurement Manager in the form of a recommendation letter.

6.3. Step 2: Procurement Manager Recommendation

Upon receipt of the written recommendation from either the User Department or the EC, the Procurement Manager must conduct his/her due diligence to ensure the recommendation is in compliance with the City's Purchasing Code, federal and state laws, if applicable, and in the best interest of the City. The Procurement Manager must concur with the User Department and EC recommendation in order to proceed with the award.

6.4. Step 3: Council Approval Process

All Procurement Agenda Items to be considered by the Council must be signed by Procurement. The following procurements must be presented to the Council for approval:

- Any procurement solicited via ITB or RFP that exceed \$49,999.99
- Any procurement that requires the approval and execution of a written contract, regardless of the amount (i.e., professional services)
- Sole Source Procurements that exceed \$49,999.99
- Emergency procurements, that exceed \$49,999.999 that have been approved by the City Manager, must be ratified by the Council at the next scheduled meeting of the Council.
- All contract modifications and change orders

3.30.223 - Change orders and contract modifications.

A. Except as hereinafter provided, any change order or other modification of a contract term shall be approved by the city council.

B. City Manager Authority. The city manager shall have authority to approve all change orders to purchase orders and contracts up to an absolute value of twenty (20) percent of the original contract, provided the total change order amount is twenty-five thousand dollars (\$25,000.00) or less.

3.30.227 - Renewals and extensions.

B. Approval Authority. The city council shall approve all renewals or term contract extensions:

1. Where cost is greater than fifty thousand dollars (\$50,000.00).

2. When the original contract was approved by the city council.

C. The city manager shall otherwise approve all other renewals and extensions.

- Use of Statewide Contracts exceeding \$49,999.99
- Use of Cooperative Purchasing exceeding \$49,999.99

6.5. Step 4: Notice of Intent to Award

The date a specific project is placed on the Council Agenda, and once that Agenda is published, is considered the date of the City Manager's recommendation to the Council for the award. That action is considered to be the public announcement of the City's intent to award a contract.

6.6. Step 5: Award Notification

The award results of any solicitation process must be published on the City's Website and the Georgia Procurement Registry (GPR). The published bid tabulation or notice must include the following information:

- The name(s) of the awardee(s)
- The amount of the contract award
- The referenced solicitation number and ranking sheets if applicable.

6.6.1. Award Notification Letter

The Award Notification Letter is the City's official Procurement Division public announcement of the contract award. After the Council has approved the award, the Purchasing Representative will prepare the award notification letters to the awardee and all respondents who submitted a response for the project. The letter will include the awardee(s) name, contract award amount, Council approval date and item number.

6.6.2. Posting of Award Results

Posting of the award results is the City's official public announcement of a contract award for a particular project. After the Council has approved the award, the Purchasing Representative will post the awardee(s) name, contract award amount, Council approval date and item number on the City's website for that project.

6.7. Step 6: Contract Preparation

Contract preparation is the responsibility of Legal. The contract is prepared by the legal in conjunction with the User Department. The User Department is responsible for providing the scope of work and project deliverables. Legal must ensure that the scope of work, project deliverables and compensation accurately reflect any clarifications requested and negotiations conducted.

All contract exceptions must be included in the contract. For quality assurance purposes, all contracts must be reviewed by the Legal.

6.8. Step 7: Execution of Contract

The Purchasing Representative is responsible for the execution and the distribution of contracts. Once the contract document has been prepared, by Legal, the Purchasing Representative will forward the contract and a contract execution letter, based on the solicitation type, to the Contractor. The letter provides instructions on how the Contractor should execute the contract and the submittals required to be returned with the contract.

6.8.1. Contractor Execution of Contract

The Contractor must execute the contract as instructed in the contract execution letter and submit all documentation required in the letter. The contract and required submittals must be returned to the Purchasing Representative within the business days specified. Once the contract is returned, the Purchasing Representative must review the following to ensure:

- No unauthorized revisions were made such as strikethroughs, white-out, etc.
- Contract signed by duly authorized official or officer, signatures include a corporate seal, or is notarized
- Certificate of Insurance with the insurance limits requirements as specified in the solicitation
- Original Payment and Performance Bonds for 100% of the contract amount with seals, if applicable.

6.8.2. City Execution of Contract

Once the contracts have been returned from the Contractor and reviewed by the Purchasing representative, the contracts are routed to the appropriate City officials for signature.

6.8.3. Scanning and Posting of Contract

After the contracts have been fully executed the Purchasing representative must insert the effective date of the contract (refer to solicitation). The contract must then be scanned and to the Procurement Drive. "Executed Contracts".

6.8.4. Distribution of Contract

After the contract has been executed, the Purchasing Representative is responsible for the distribution of the contracts to the Contractor and the User Department(s). The Clerk of the Council retains a copy of the contract when the contracts are forwarded to their office for execution. The contract marked "Purchasing Original" is retained by the Purchasing Representative for the contract file. The Procurement Division is designated as the legal custodian of the procurement file.

The Purchasing Representative must distribute the contracts to the Contractor and User Department(s).

6.9. Step 8: Purchase Order

A Purchase Order (PO) is a short form of contract which is issued by the Procurement Manager at the written request of the User Department for the procurement of supplies, goods or services. The PO is used for financial purposes to encumber funds. The PO may also be used to establish contract terms between the City and the vendor/contractor. The terms, conditions, and specifications of the solicitation document and the award will be incorporated into any contract between the City and the selected vendor/contractor.

6.9.1. Commodity Codes

Commodity codes are used to identify the source of commodities and/or services being purchased. Purchases must be coded with the applicable NIGP code(s), regardless of the dollar amount.

Chapter 7: Stage 7 – Contract Administration Process

This chapter describes the Contract Administration Process stage, the policies that govern this stage, and the step-by-step procedures performed during this stage.

THE SEVEN STAGES OF PROCUREMENT

1. Need Identification
2. Pre-Solicitation
3. Solicitation Preparation
4. Solicitation Process
5. Evaluation Process
6. Award Process
7. Contract Administration

Key Steps

- Administering and managing the contract
- Working with vendors to resolve any contract disputes
- Completing contract close out tasks
- Contractor performance review

7.1. Introduction to the Contract Administration Stage

The contract administration process begins once the City has executed the contract. Contract administration is the process of managing, monitoring and administering contracts to ensure that the contractor's performance meets the contract requirements. Contract administration involves those activities performed by the User Department's contract administrator after a contract has been awarded. The major steps of contract administration are listed in Table 7.1 below:

Table 7.1 Major Steps	
Steps	Description
Step 1	Contract administration responsibilities
Step 2	Monitoring of contract
Step 3	Contract deliverables/inspection and acceptance
Step 4	Dealing with poor performance/disputes
Step 5	Contract renewals and modifications
Step 6	Termination
Step 7	Contract close-out procedures

7.2. Step 1: User Department Contract Administration Responsibilities

All contracts require a consistent monitoring effort throughout the term of the agreement in order to ensure compliance with contractual terms and conditions. The specific nature and extent of contract administration will vary from minimum acceptance of a delivery & payment to extensive involvement such as review/audit of a program, monitoring, surveys, etc. Factors influencing the degree of contract administration include the nature of the work, the type of contract and the experience of the personnel involved.

7.2.1. Purpose of Contract Administration

The purpose of contract administration is to ensure that the contract is performed by the contractor and the responsibilities of both parties are properly performed.

It is the responsibility of the Contract Administrator to oversee, monitor and provide technical guidance to the contractors performing the contract.

It is also the responsibility of the Contract Administrator to ensure that the City receives/acquires the services and outcomes specified in the contract within the time specified in the contract and that payments are reviewed, approved and monitored to ensure that the City receives what it pays for.

7.2.2. Role of Contract Administrator

Up to this point, the Purchasing Representative has been the lead person throughout the purchasing process. After the award, the designated contract administrator is the point of contact for the contract and is responsible for managing the contract.

It is the responsibility of the User Department to designate staff to serve as the Contract Administrator for contracts within their respective department(s). For purposes of this manual, any City employee whose duties and responsibilities include day-to-day administration and management of City contract(s) and other forms of contractual agreements, will be designated as "Contract Administrator". The Contract Administrator's role begins after the contract has been awarded. The Contract Administrator must first understand their duties and responsibilities.

Listed below are the Contract Administrator's key responsibilities for managing a contract:

- Conduct scheduled meetings at least quarterly, bi-monthly or monthly depending on the type of contract, to review the status of the contract and to ensure the contractor is in compliance with the contract requirements.
- Establish contract deliverables and/or performance standards for the contractor.
- Establish what is to be evaluated for each contract and to determine how the contractor's performance will be evaluated and what methods will be used for monitoring, such as contractor performance reports, progress reports, citizen surveys, internal surveys, etc.
- Establish procedures for review of contract issues, problems and disputes; prescribe methods and procedures for the resolution of contract issues and disputes.
- Monitor the performance of the contractor in person by establishing a performance monitoring schedule.
- Prepare and distribute written reports on the contractor's performance and/or the overall effectiveness and/or productivity of the program.
- Plan and manage surveys of citizens and other clients and stakeholders.
- Ensure the timely submission of required reports from the contractor.

- Review and monitor the contractor's expenditures to ensure that the expenditures are eligible expenses and are in compliance with the approved contract budget.
- Review and recommend approval of all payment requests.
- Analyze all data and other information received regarding the performance of the contract to identify ways to improve the effectiveness and efficiency of the services being provided.
- Make recommendations to the Department Head, City Manager if any changes to the contract need to be implemented, such as additional services, under-utilized services, program change requests received, etc.
- Monitor the contractor's utilization of female and minority-owned businesses as identified in the contract and to report any discrepancies.
- Maintain a detailed file on the performance of the contract and document all actions taken regarding the contract.
- Recommend renewal of the contract as well as other contract modifications that may be necessary.
- At the end of the contract, the Contract Administrator is responsible for the close-out of the contract file.

The four major functions of contract administration and the responsibilities for each phase are listed below in Table 7.2.

Table 7.2 Contract Administration Major Functions	
Phase	Contract Administrator Responsibilities
Phase 1 Post Award Activities	<ul style="list-style-type: none"> ▪ After the contract has been executed the Contract Administrator must schedule the Pre-Construction/Work Conference or Kick-Off Meeting with the Contractor. ▪ Determine when the contract will begin and issue the Notice to Proceed (NTP) to the Contractor with a copy to the Purchasing Representative. ▪ Advise the Contractor how the contract and Contractor will be evaluated and how often ▪ Understand the contractor responsibilities and the City's responsibilities under the contract.
Phase 2 Contract Administration Planning	<ul style="list-style-type: none"> ▪ Provide technical oversight and direction to the contractor. ▪ Review all work that has been or is being performed by the contractor. ▪ Confirm that the work being performed is in accordance with the specifications and provisions of the contract and address any performance deficiencies. ▪ Review and accept the work product or services. ▪ Document all actions taken in regard to the project.
Phase 3 Performance Monitoring	<ul style="list-style-type: none"> ▪ Monitor performance to ensure that the contractor is performing their duties in accordance with the contract ▪ Determine whether any problems are developing that need to be addressed
Phase 4 *Contract	<ul style="list-style-type: none"> ▪ Verify that both parties of the contract (the City and the Contractor) have fulfilled their contractual obligations and that there are no responsibilities remaining.

Close-out	<ul style="list-style-type: none"> ▪ Verify all goods and services have been received and accepted; all reports have been delivered and accepted; and all City property has been returned and/or received. ▪ Confirm that final payment has been made to the Contractor.
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**Contract Close-out is described in detail in Section 7.6 of this chapter.*

7.3. Step 2: Evaluation of Contract Performance

The Contract Administrator is responsible for the evaluation of the contract, the Contractor's performance, measuring performance and determining whether the expected outcomes are achieved. This step describes the Contract Administrator's role in developing a performance plan to determine the critical components of the contract that should be monitored, how the monitoring will occur and who will perform the monitoring.

7.3.1. Performance Monitoring

Performance monitoring ensures that the contractor is performing their duties in accordance with the contract and determines whether any problems are developing that need to be addressed. The following areas should be monitored by the contract Administrator based on the contract as outlined in Table 7.3 below:

Table 7.3	
Monitoring Performance	
Quality	<ul style="list-style-type: none"> ▪ If the professional service, contracted service or construction project achieved the desired quality level; or was the correct item received
Schedules	<ul style="list-style-type: none"> ▪ Dates when certain activities (deliverables/milestones) will be completed, delays.
Acceptance	<ul style="list-style-type: none"> ▪ If the work has been completed as identified in the contract, the work should be accepted ▪ If the work is incomplete and additional work is required, the issue should be addressed immediately.
Changes	<ul style="list-style-type: none"> ▪ It essential that the Contract Administrator is monitoring any change(s)/amendment(s) that may be required to the contract

Conflicts	<ul style="list-style-type: none"> ▪ The Contract Administrator must be proactive in anticipating any conflicts between the contractor and the City and advise his/her department head as appropriate.
Data	<ul style="list-style-type: none"> ▪ Any contract that requires reporting data should be tracked closely by utilizing a detailed schedule of deliverables and milestones.
Contractor Performance	<ul style="list-style-type: none"> ▪ Managing the contractor's performance is one of the basic responsibilities of the Contract Administrator and should be evaluated on a quarterly basis to determine if contractor is performing at acceptable levels or whether performance is an issue and appropriate action(s) need to be taken to address the performance issues.
Budget and payment	<ul style="list-style-type: none"> ▪ Payments must be verified and processed timely and tracked to ensure project is within the established budget and amount approved by the Council.

7.3.2. Performance Measures and Outcomes

Performance measures are tools used to measure performance and to evaluate the progress of the contractor to ensure compliance with the contract. Performance of the contractor must be evaluated against established performance criteria or the scope of work that can be measured such as project deliverables, and/or desired outcomes. Performance measures should be measuring that the client/customer is interested in and not just internal indicators of work performed.

The Contract Administrator must determine the appropriate performance measures for the type and nature of the contract to be monitored. Outcome measures should assess the effectiveness, results and quality of the services being provided.

Examples of performance and outcome measures are:

- ✓ Number/percentage of clients who received assistance in accordance with the services as prescribed in the contract.
- ✓ Number/percentage of clients who report satisfaction/dissatisfaction with the services they received.
- ✓ How long did client have to wait to receive services?
- ✓ How was service delivered? Was contractor's staff courteous and helpful?
- ✓ Are the project milestones/due dates being met?

- ✓ Is the project on schedule?
- ✓ Are reports/deliverables submitted as stated in the contract?
- ✓ What is the quality of services being provided?

7.3.3. Delivery of Goods/Performance of Services

The Contract Administrator must work with the supplier to assure the timeliness and quality of deliverables. Any delay in delivery or poor quality of products or services is an indication that the supplier may be experiencing problems. Prompt inquiry/intervention may avoid further delays or quality problems. If a supplier is late in the delivery of goods, equipment or in meeting a milestone, the Contract Administrator must immediately contact the supplier to ascertain the circumstances regarding the delay. However, it is the supplier's responsibility to identify schedule or performance issues and correct deficiencies.

7.3.4. Contractor Performance Reports

One of the most important tools in the evaluation of a contractor's performance is to document the Contractor's performance. It is imperative that the Contract Administrator document all actions whether satisfactory or unsatisfactory. The following tools described in Table 7.4 can be used to assist the Contract Administrator in the evaluation of a Contractor's performance:

Table 7.4	
Evaluation Tools	
Tool	Description
Scheduled Site Visits	Can be used to review the contractor's performance on a monthly, bi-monthly or quarterly basis arranged in advance with the contractor to observe and/or review the contractor's performance and to ensure that the contractor is dedicating sufficient resources and the appropriate personnel to the contract.
Random Site Visits	Can be used to follow-up on specific reported performance issues or previously noted deficiencies and/or just to review how services are delivered without the contractor's advance knowledge to observe and/or review the contractor's performance and ensure that the contractor is dedicating sufficient resources and the appropriate personnel to the contract. Random monitoring can encourage the contractor to

	maintain acceptable service levels at all times.
Vendor Complaint Reports	<p>Should be used to record complaints and the report should include the following information:</p> <ol style="list-style-type: none"> 1. Record who submitted the complaint, date and time 2. Detailed information regarding the nature of the complaint 3. Indicate how the complaint was resolved 4. Indicate action taken by contractor 5. Indicate action taken by the Department 6. Final disposition of complaint 7. Make complaint part of Contractor's file
Performance Reports	The City of Stockbridge code requires that the Contractor's performance is measured on a quarterly basis. This report must be provided when requesting the renewal of the contract. This report must be completed as part of the contract close-out procedures and the renewal process. Procurement will maintain the vendors Performance as part of the file.
Contract Close-out Contractor Performance Report	At the end of the contract, a final Contractor Performance Report of the Contractor's overall performance on the contract.

7.3.5. Poor Performance and Non-Performance of Contract

It is essential that the Contract Administrator identify problems as soon as possible during the performance of the contract, to effectively communicate any problems to the Contractor as they are identified and to document all actions taken during the contract period. Immediate steps must be taken to address poor performance or non-performance of the contract requirements. Dealing with poor performance generally involves progressive steps in an attempt to resolve the issues. The progressive steps are identified in Table 7.5:

Table 7.5 Progressive Steps	
Steps	Description of Step
Step 1: Identify the problem	Once a problem has been identified, the Contract Administrator must take action to address the problem immediately by obtaining information from all stakeholders (project manager, contractor, etc.)
Step 2: Review of the contract	The Contract Administrator must review the contract to determine whether the issue is a part of the contract. If the issue is not covered in the contract, then the Contract Administrator should contact their Purchasing Representative before proceeding.
Step 3: Address issues with Contractor	Address issues with Contractor's authorized representative(s). If issue is not resolved, then schedule a meeting with all parties including the designated contract representative, Contractor and Purchasing Representative.
Step 4: Document	Put issues in writing and request a corrective action plan from Contractor addressing the specific issues within a specified time period. The Contractor must be given the opportunity to correct or cure any problems identified.
Step 5: Notify Purchasing	If the Contractor fails to correct or cure the problem and further actions need to be taken, the contract administrator must notify their Procurement Division and the Procurement Manager.

The Procurement Manager will notify the Contractor in writing of the City's options provided in the contract that may include assessment of liquidated damages or other provisions provided such as reduction of services or termination of the contract.

7.3.6. Default and Termination

If the recommendation is to terminate the contract for default/cause or for convenience, the Procurement Manager must consult with the City Attorney's office before proceeding with any further actions. The City Attorney will review the documentation, contract and other relevant information provided and determines the appropriate termination provision to be used.

3.30.228 - Termination of contracts.

Upon recommendation by the user department(s), the city manager shall have the authority to cancel a contract for any reason to include but not limited to cause, convenience, and lack of appropriation of funds; and shall process the cancellation pursuant to the contract terms and conditions.

7.4. Step 4: Contract Renewals

City contracts for supplies or services may be renewed for an additional period under the original terms and conditions provided the renewal terms are included in the solicitation and is in the best interest of the City.

3.30.227 - Renewals and extensions.

A. General Provisions. Some contracts contain renewal clauses describing the conditions under which it may be renewed. The user department(s) must certify in writing to the purchasing agent that the contractor(s) has performed satisfactorily and met all of the requirements set forth in the original award. In rare instances, contracts may require an extension for such a period as may be necessary to afford the city a continuous supply of items or services in the event of the termination or near termination of the award/contract. The user department(s) must justify extensions in writing to the purchasing agent. The purchasing agent, if in agreement, may seek approval as outlined in Section 3.30.227

B. Approval Authority. The city council shall approve all renewals or term contract extensions:1. Where cost is greater than fifty thousand dollars (\$50,000.00).2. When the original contract was approved by the city council.

C. The city manager shall otherwise approve all other renewals and extensions.

7.5. Step 5: Contract Modifications

Throughout the term of the contract, it may be necessary to make changes to the contract. These changes can be minor administrative changes, such as a change of address, or they can be substantial changes that affect the price and delivery. Contract modifications are any written alteration in the terms of the contract including, but not limited to, the scope, manner of performance, specifications, delivery point, time and rate of delivery, period of performance, price, or quantity.

3.30.223 - Change orders and contract modifications.

A. General Provisions. Except as hereinafter provided, any change order or other modification of a contract term shall be approved by the city council.

B. City Manager Authority. The city manager shall have authority to approve all change orders to purchase orders and contracts up to an absolute value of twenty (20) percent of the original contract, provided the total change order amount is twenty-five thousand dollars (\$25,000.00) or less.

7.5.1. Change Order

A change order is an alteration, addition, or deduction from the original scope of work as defined by the contract documents

3.30.223 - Change orders and contract modifications.

A. General Provisions. Except as hereinafter provided, any change order or other modification of a contract term shall be approved by the city council.

B. City Manager Authority. The city manager shall have authority to approve all change orders to purchase orders and contracts up to an absolute value of twenty (20) percent of the original contract, provided the total change order amount is twenty-five thousand dollars (\$25,000.00) or less. to address changes or unforeseen conditions necessary for project completion.

Examples of a change order include:

- Unforeseen conditions
- Change in price(s) to the contract
- Change in delivery schedule
- Change in quantity
- Change in project scope
- Change in terms and conditions
- An extension of time not contemplated by the contract

7.5.2. Contract Amendment

A contract amendment is a change, addition, alteration, correction or revision to a bid or proposal or contract document. Amendments must be processed in accordance with Examples of a contract amendment include:

- Modification or revision of project scope of work
- Change in price(s) to the contract
- Change in delivery schedule
- Change in quantity

- Change in project scope
- Change in terms and conditions
- An extension of time not contemplated by the contract
- Change of key personnel if not contemplated by the contract

7.6. Step 6: Contract Close-out Procedures

Contract close-out is necessary when the work required by the contract has been completed. The purpose of the close-out process is to verify that both parties to the contract (the City and the contractor) have fulfilled their obligation in compliance with the contract and that there are no responsibilities remaining. The close-out process includes ensuring that:

- the contract terms and conditions have been met,
- payments have been properly made,
- all deliverables have been received and accepted and
- all other matters, such as satisfactory performance, warranties, etc., are documented and closed.

This is the final major function to be performed by the Contract Administrator. The Contract Administrator close-out responsibilities are described in Table 7.6:

Table 7.6 Close-out Activities	
Administrative Issues	<ul style="list-style-type: none"> ▪ Ensure that all administrative issues have been resolved ▪ Ensure that all documentation regarding the project is in the project file ▪ Notify Finance representative that project is complete and approve any retainage to be released to the Contractor ▪ Notify Purchasing Representative that project is complete and request Purchase Order to be closed or funds unencumbered. ▪ Notify Contract Compliance Representative that project is complete. ▪ Complete final Contractor Performance Report ▪ Submit recommendations, if any regarding any modifications to the scope of work for future solicitations as a result of feedback from citizens/clients/User Department ▪ Ensure that any documentation regarding the Contractor's performance is provided to Purchasing for the project file.
Deliverables	<ul style="list-style-type: none"> ▪ Determine if all deliverables and final reports have been

	delivered and accepted
Payment and Invoices	<ul style="list-style-type: none"> ▪ Determine if all payments have been processed ▪ Ensure that all subcontractor(s), sub-consultant(s) or supplier(s) were paid by requesting lien releases from Contractor before final payment is processed or retainage is released;
Property	<ul style="list-style-type: none"> ▪ Ensure that all furnishings and/or equipment provided to Contractor by the City is returned and in good condition. The Procurement Division will conduct review of some of the User Agency file randomly.

Glossary

Addenda/Addendum

a written amendment to an invitation to bid or request to proposal that changes the project specifications and is issued prior to bid opening which becomes a part of the specifications for the project.

Advertisement

public notice inviting bids or proposals on a specified project. The advertisement must include such details/specifications so as to enable the public to know the extent and scope of the work to be done. Plans and specifications must be available on the first day of the advertisement, and they must be open to inspection by the public. All notices must advise potential bidders/offerors of any mandatory prequalification requirements, any pre-bid/proposal conferences, and/or any federal requirements. All projects shall be published in the City's legal organ, Georgia Procurement Registry (GPR) and on the City of Stockbridge Procurement website.

Alternate bid

the amount stated in the bid or proposal to be added to or deducted from the base bid or base proposal if the corresponding change in project scope or alternate materials or methods of construction accepted.

Amendment

a change, addition, alteration, correction or revision to a bid or proposal or contract document.

Annual contract	any contract entered into for a period of one-year or multiple one-year periods (including options to renew for additional one year periods) , with a contractor or a vendor, to provide the City upon request with a specified product or service at a pre-determined price or rate.
Award	approval by the Council, to begin the contracting process with the most responsive and responsible bidder.
Base Bid or base proposal	the amount of money stated in the bid or proposal as the sum for which the bidder or proposer offers to perform the work.
Best value	a procurement method that emphasizes value over price. The best value may not be the lowest cost, generally achieved through the request for proposal (RFP) method.
Bid	the formal process allowing prospective vendors to compete for goods and services sought by the City.
Bid acceptance	the acceptance of bids delivered to the Purchasing Agent at the time, place, and under the conditions contained in the invitation for bids and as further stipulated in the specifications document.
Bid bond	a form of bid security executed by the bidder as principal and by a surety to guarantee that the bidder will enter into a contract within a specified time and maintain the bid prices submitted with his/her original bids and furnish any required payment and/or performance bonds.

Bid guaranty	a certified check, bid bond, cashier's check, for a sum of money deposited with the City by a bidder to guarantee that the bidder will enter into a contract within a specified time and maintain the bid prices submitted with his/her bid and furnish any required payment and/or performance bonds.
Bid opening	the public opening of bids received and accepted and the reading aloud of the name of each bidder and the amount of bid in the presence of one (1) or more witnesses at the time and place designated in the invitation to bid. For RFP openings only the name of the proponents is read aloud.
Brand name or equal specification	a specification limited to one or more items by manufacturer's names or catalogue numbers to describe the standard of quality, performance and other salient characteristics needed to meet City requirements and which provides for the submission of equivalent products from any manufacturer.
Business	any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, firm or any other private entity.
Change order	an alteration, addition, or deduction from the original scope of work as defined by the contract documents to address changes or unforeseen conditions necessary for project completion.
Clock calibration	coordination of the bid clock with the time as indicated by the National Bureau of Standards.
Collusion	a secret agreement, whether expressed or implied, to commit a fraudulent, deceitful, unlawful, or wrongful act.

Collusive bidding	a violation of antitrust statutes that consists of a response to a solicitation by two or more persons who have secretly agreed to circumvent laws and rules regarding independent and competitive bidding.
Competitive process	the process by which a local government solicits a public works construction contract through either the bid method or the proposal method.
Competitive sealed bidding	a method of soliciting public works construction contracts whereby the award is based upon the lowest responsive, responsible bid in conformance with the provisions of subsection (b) of Georgia Code Section 36-91-21.
Competitive sealed proposal	a method of soliciting public works contracts whereby the award is based upon criteria identified in a request for proposals in conformance with the provisions of subsection (c) of Code Section 36-91-21.
Construction delivery method	a method of building a project.
Construction Management At-Risk	a construction delivery method in which the local government hires a construction manager at risk.
City	“City” shall mean City of Stockbridge City, Georgia, a political subdivision of the State of Georgia, and shall include all agencies, establishments or officials of the government.
Citywide contract	a contract for a specified service(s) executed for use by any agency within the City.

Construction	the process of building, altering, repairing, remodeling, improving or demolishing any public structure or building, or other public improvements of any kind to any public real property. It does not include the routine maintenance of existing structures, buildings or real property.
Contract	all types of agreements, including purchase orders, regardless of what they may be called, for the procurement or disposal of supplies, services, construction, professional or consultant services, and for the transfers of interest in real property.
Contract documents	the various parts of the contract including, but not limited to the contract agreement, the bid form, the payment and performance bond, any required insurance certificates, general and specific conditions and the specifications of the project.
Contract file	the grouping of all written determinations and other records pertaining to the solicitation, award or performance of a contract or purchase order in a designated file maintained by the City by the Purchasing Agent.
Contract modification	any written alteration in the terms of the contract including, but not limited to, the scope, manner of performance, specifications, delivery point, time and rate of delivery, period of performance, price, quantity, or other provision of any contract accomplished by mutual action of the parties to the contract.
Contract sum	the amount bid as adjusted by all contract modifications.
Contractor	any person or entity having a contract with the City.

Cost data	factual information concerning the cost of labor, material, overhead and other cost elements that are expected to be incurred or which have been actually incurred by the contractor in performing the contract.
Data	means recorded information, regardless of form or characteristics.
Days	“Days” shall mean calendar days.
Designee	an authorized representative of a person holding superior position of responsibility.
Emergency	any situation resulting in imminent danger to the public health, welfare or safety or the loss of an essential government service.
Encumbrance	an obligation, chargeable to a budget appropriation, by a User Department to pay for a specific procurement.
Evaluation criteria	factors relating to management capability, technical capability, method of meeting performance requirements, price, and other material considerations specified in the request for proposal that will be considered in determining to whom a contract will be awarded.
Final completion	the completion of all work as required in accordance with the terms and conditions of the contract documents.
Firm	any individual, partnership, corporation, association, joint venture or other legal entity permitted by law to practice or offer professional or consultant services.
Governing entity	City of Stockbridge Government (“City”).

Invitation to bid (ITB)	all documents, whether attached or incorporated by reference, utilized for soliciting sealed bids.
Invoice	the document provided by vendors to the City as a demand for payment of goods or services provided under the provisions of a contract awarded by the City.
Multi-term contracts	a contract executed for a specific period with the option to renew for additional periods of time.
Offer	a proposal by an offeror submitted when procurement is made by a source selection method other than competitive sealed bidding.
Offeror	a person, firm or entity that submits a proposal under the proposal method.
Owner	City of Stockbridge Government, Georgia ("City").
Notice To Proceed	a written notice to the Contractor to begin the actual contract work, stating, if applicable, the date on which the contract time begins.
Payment bond -	"Payment Bond" means a bond provided by a surety company authorized to do business in the state of Georgia, payable to the City which guarantees to the City that all costs incurred by the Contractor relating to the performance of the contracted services for the use and protection of all subcontractors and all persons supplying labor, materials, machinery, and equipment in the prosecution of the work provided for in the public works construction contract.

Performance bond

“Performance Bond” means a bond provided by a surety company authorized to do business in the state of Georgia, for the faithful performance of the contract and to indemnify the governmental entity for any damages occasioned by a failure to perform the same within the prescribed time. Such bond shall be payable to, in favor of, and for the protection of the City for which the work is to be done and guarantees to the City that the services contracted for will be performed in accordance with the terms and conditions specified in the contract document.

Pre-bid or pre-proposal conference

a meeting scheduled prior to the opening of bids/proposals at which attendance by potential bidders/offerors may be optional or mandatory, to clarify the solicitation and respond to prospective bidder/offeror inquiries.

Pre-qualification

required standards imposed in the best interest of the City as a condition of bidding, which must be met by an interested bidder in order to qualify to respond to an invitation for bids or a request for proposal.

Procurement

buying, purchasing, renting, leasing or otherwise acquiring any supplies, services or construction. Also includes all functions that pertain to the obtaining of any supply, service or construction, including a description of requirements, selection and solicitation of sources, preparation and award of contracts, and all phases of contract administration.

Professional and consultant services

those services within the scope of the practices of architecture, professional engineering, planning, landscape architecture, land surveying, the medical arts, management analysis, accounting or auditing, law, psychology or any other similar kind or type of

professional practice. In the context of the Local Government Public Works Construction Law, it means those services where the other party is not responsible for construction.

Program Manager or Project Manager	a person, firm or City employee that oversees or manages a construction project.
Public works construction	the building, altering, repairing, improving, or demolishing of any public structure or building or other public improvements of any kind to any public real property.
Proposer	one who submits a proposal.
Proposal	solicited submission of information from a prospective contractor which states how that offeror intends to perform certain work, its technical and business qualifications, it's proposed delivery, warranty, other terms and conditions as those might differ from or supplement the City's solicitation requirements, and any other information requested by the City's solicitation.
Proposal guaranty	a certified check or other security payable to the local government to ensure that the successful bidder will execute the contract on which he bid similar to a bid bond.
Purchase description	the words used in a solicitation to describe the supplies, services or construction to be purchased, including specifications attached to or made a part of the solicitation.
Purchase order	a short form of contract which is issued by the purchasing agent at the written request of the using agency for the procurement of supplies, goods or services.

Purchasing Agent	the Procurement Manager of the City of Stockbridge Procurement Division for the City.
Qualification based selection	a way of selecting professional services or offerors under the proposal method in which the professional or offeror is selected prior to consideration of price.
Request for Proposal	all documents, whether attached or incorporated by reference, utilized for soliciting proposals.
Requisition	a document utilized by a using agency to request that a purchase order or contract be entered into for a specific need. All requisition must include the appropriate documentation.
Responsible bidder or responsible offeror	a person or entity that has the capability in all respects to perform fully and reliably the contract requirements.
Responsive bidder or responsive offeror	a person or entity that has submitted a bid or proposal that conforms in all material respects to the requirements set forth in the invitation for bids or request for proposals.
Retainage	the portion of the total contract amount that a local government retains from the contractor until the project is totally complete.
Scope of project	the work required by the original contract documents and any subsequent change orders required or appropriate to accomplish the intent of the project as described in the bid documents
Scope of work	the work required by the original contract documents and any subsequent change orders required or appropriate to accomplish the intent of the project as described in the bid documents.

Service contract	a contract awarded for a type of service other than construction, professional or consultant service, such as janitorial, plumbing, security guard services, etc.
Service	the furnishings of labor, time or effort by a contractor, not involving the delivery of a specific end product other than reports which are merely incidental to the required performance. This term does not include employment agreements or collective bargaining agreements.
Shall	denotes imperative.
Sole Source	those procurements made pursuant to a written determination by the governing authority that there is only one source for the required supply, service, or construction item.
Solicitation	an invitation for bid, a request for proposal, a request for quotation, or any other document issued by the City for the purpose of soliciting bids or proposals to perform a City contract.
Specifications	any description of the physical or functional characteristics or of the nature of a supply, service or construction item. It may include a description of any requirement for inspecting, testing or preparing a supply, service or construction item for delivery.
Subcontractor	any person undertaking part of the work of a contract under the control of the principal contractor.
Substantial completion	the date when construction is sufficiently complete, in accordance with the contract documents, so the City can occupy or utilize the work or designated portion thereof for the use for which it is intended.

Supplies	all property, including, but not limited to, equipment, materials, printing, insurance, and leases of property, excluding land.
Surety	the corporation, partnership, or individual licensed and authorized to do business in the state of Georgia, other than the contractor, executing payment, performance or bid bonds to be furnished to the City by the contractor.
Using agency	any City entity that utilizes any supplies, services, construction, professional or consultant services procured under this article.
Work	the furnishing of all labor, materials, tools, equipment and incidentals necessary by the Contractor for completion and performance of all duties and obligations imposed by the contract documents.

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